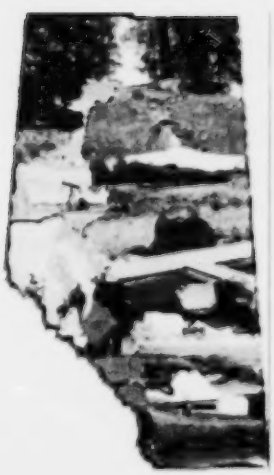
The Sustainable Management of the Livestock Industry in Alberta

Report and Recommendations

April 30, 2001



April 30, 2001

The Honourable Shirley McClellan
Deputy Premier and Minister of Alberta Agriculture, Food and Rural Development
Government of Alberta
408 Legislature Building
10800 – 97 Avenue
Edmonton, AB T5K 2B6

Dear Honourable Shirley McClellan:

As members of The Sustainable Management of the Livestock Industry in Alberta Committee, we are pleased to submit our report with recommendations for addressing the sustainable growth and development of Alberta's livestock industry and at the same time, protecting the environment.

Our recommendations to the Government of Alberta build on similar processes that have worked well for Alberta's other major industries – oil and gas, forestry, pipelines, petrochemical – who receive approvals at the provincial level through a clearly defined process. Of course, like other major industries, we also propose that the new regulatory framework include monitoring, compliance inspections and enforcement action.

Many Albertans took time to share their ideas, concerns and opinions on this important issue. It is this information that forms the basis of our report. The Committee has enjoyed working on this review. We gratefully acknowledge the support and sincere input from stakeholders in government, industry and the public.

Yours truly,

Albert Klapstein, Chair
The Sustainable Management of the Livestock Industry in Alberta Committee
MLA, Leduc

Ben Thorlakson | Roelof Heinen | Judy Gordon, MLA, Lacombe-Stettler | Ron Stevens, MLA, Calgary-Glenmore

TABLE OF CONTENTS

Page

Preface 2

Executive Summary 3

I. Agriculture in Alberta – an industry of growing opportunities 5

- Contribution of Agriculture to Alberta's Economy 6
- International Market Potential 6
- Livestock Profiles 7
- Opportunities and Limits to Growth of the Livestock Sector 10

II. Planning Ahead 15

III. Principles for Sustainable Livestock Development 17

IV. Summary of Public Consultations 19

V. Themes and Recommendations 21

VI. Closing Comments 31

Sources and Related Documents 32

Appendix A Summary of Environmental and Legal Requirements for Intensive Livestock Operations 33

Appendix B Summary of Public Consultation, Written Submissions 36

Appendix C Summary of Public Consultation, Oral Presentations 50

Appendix D Development Permitting Process for Intensive Livestock Operations 68

Appendix E Common Questions 69

Appendix F Glossary of Terms 78

PREFACE

In October 2000, the Minister of Alberta Agriculture, Food and Rural Development (AAFRD), established The Sustainable Management of the Livestock Industry in Alberta Committee (*the Committee*). The Committee's mandate was to finalize provincial recommendations on outstanding issues related to the development and operation of Alberta's livestock industry. The Committee was asked to seek the views of Albertans and to present these to government in a report along with recommendations.

The agriculture industry remains a significant contributor to Alberta's economy. The Committee is convinced that the Government of Alberta must implement a long-term strategy and make sustainable growth and development of Alberta's livestock industry a priority. This report makes recommendations on a new regulatory framework that will:

- provide the public with confidence that the industry is managed responsibly and that environmental issues are being addressed. This will be achieved through science based standards and follow up monitoring and enforcement action,
- give producers a set of consistent standards and procedures that will apply across the province, and
- remove the risk and uncertainty for the livestock industry and rural communities, creating a climate for responsible growth.

The Committee takes responsibility for all views expressed in this report.

EXECUTIVE SUMMARY

Agriculture is a vital and growing component of Alberta's economy. Production of both agricultural commodities and value-added food products is steadily increasing to keep pace with world demand. The province is well positioned to expand its share of markets both in Canada and internationally.

The livestock sector is a cornerstone of Alberta's agriculture industry. At present the development of the livestock sector is hampered by uncertainty and controversy among various stakeholders. These problems stem from the current patchwork of rules and regulations governing the industry. Producers and the public are united in the view that clear, consistent, science-based standards are needed for the sustainable and economically viable development of Alberta's livestock industry.

The Livestock Regulations Stakeholder Advisory Group (LRSAG) presented a proposed regulatory framework for development of intensive livestock operations (ILOs) to the Minister of Agriculture, Food and Rural Development (AAFRD) in May 2000. LRSAG's report included proposed "Definitions, Regulations, Act and Standards Document for Intensive Livestock Operations".

In October 2000 the Minister of AAFRD established the Sustainable Management of the Livestock Industry in Alberta Committee (*the Committee*) to make recommendations on provincial and municipal roles, approval processes, and ongoing monitoring and enforcement.

The Committee makes the following seven recommendations:

1. The Alberta Government proceed with provincial legislation for ILOs. The new regulatory framework will include:
    - a provincial approval process for ILOs
    - ongoing monitoring of ILOs
    - technical standards and procedures for new and expanding ILOs
    - provincial decision making on land use

2. Appoint a Sustainable Agriculture Review Board (*the Board*) with authority for regulating ILOs. The Board would be responsible for the approval process for new and expanding ILOs, ongoing monitoring of ILOs, and enforcement of provincial standards. The Board would be appointed by, and accountable to, the Minister of AAFRD.

3. Establish a consistent and transparent approval process for new and expanding ILOs under the proposed Sustainable Livestock Production Act. The Board becomes the provincial agency with primary responsibility for reviewing applications and issuing approvals. A streamlined process is recommended for the consistent application of science-based standards across the province.

4. Implement comprehensive monitoring activities and enforcement to ensure compliance with province-wide regulated standards. This will serve two major goals: protection of the environment, and public confidence in the industry.

5. Partner with municipalities in developing long-term land use plans. Municipalities have a key role in ensuring a sufficient land base for agriculture, while at the same time resolving local concerns in a responsive, community-based manner. The Committee recommends that municipalities develop agricultural zones where ILOs are permitted uses.

6. Strengthen right-to-farm legislation. The Committee recommends that the Agricultural Operation Practices Act (AOPA) be amended and a peer review board established to determine generally accepted practices.

7. Complete the agricultural assessment and farm tax review. The Committee believes that provincially initiated changes in the assessment and taxation of ILOs would enhance public acceptance of new and expanding ILO developments.

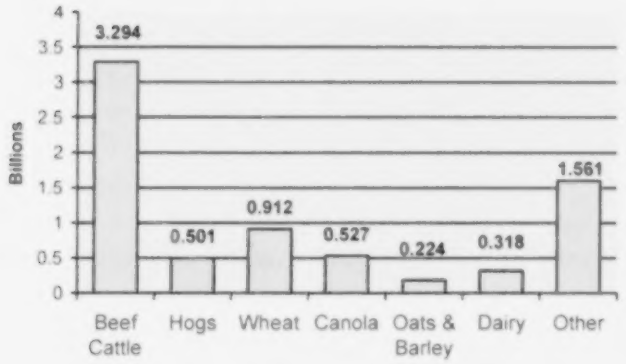
The Committee believes that adoption of these recommendations will reduce uncertainty in the industry while responding to public concerns and protecting the environment. The Committee recognizes that implementation of these recommendations will take time and require certain legislative actions. However, it is the Committee's belief that action must begin now to ensure the long-term sustainable growth of Alberta's livestock industry.

AGRICULTURE IN ALBERTA – AN INDUSTRY OF GROWING OPPORTUNITIES

Alberta has a prosperous and dynamic agriculture industry. With only nine percent of Canada's population, Alberta currently accounts for 23 percent of the nation's primary agricultural production. In 2000, farm cash receipts from primary agriculture totaled $7.3 billion. The processing and food and beverage industry contributed an additional $9.2 billion to provincial revenue.

The livestock sector is a cornerstone of the province's agriculture industry. Approximately 60 percent of Alberta's farm cash receipts come from livestock and livestock products. Alberta has the largest number of cattle and calves in Canada, with approximately 40 percent of the beef cow herd. More than 65 percent of Canada's beef cattle are finished in Alberta feedlots.

2000 Estimated Total Farm Cash Receipts - Alberta
$7.337 billion



Note: Data subject to revision
Source: Statistics Canada 2000

Contribution of Agriculture to Alberta's Economy

Alberta has one of the world's most productive agricultural economies. In 2000 the agri-food industry accounted for about five percent of the province's Gross Domestic Product.

Currently more than 51 million acres are being used for crop and livestock production in Alberta. This represents about 33 percent of the province's total land area. Approximately 27 million acres are in crops and summer fallow, 21 million acres are pasture, and four million acres are used for other agricultural production. Approximately 69,000 people are employed in primary agricultural production.

Alberta's food and beverage industry has grown at a rate of 6.5 percent per year since 1990. It is the province's largest manufacturing sector and employs in excess of 19,000 people in over 500 firms. In 2000 the food and beverage industry contributed $9.2 billion in revenues, or 22 percent of Alberta's total manufacturing activity.

International Market Potential

The rapidly changing global economy is creating many new opportunities for Alberta's agri-food industry. Demand is shifting from bulk commodities to consumer-ready foods. The market for value-added and niche products is expected to grow, as is demand for new products such as functional foods (foods that provide medical or health benefits beyond their nutritional value).

The demand for agricultural products will increase as populations continue to rise. By 2025 the world's population is expected to grow from six billion to over eight billion.[1]

In 2000, Alberta exported $5.1 billion in primary and processed agricultural and food products to 110 countries. This represents approximately 22 percent of Canada's total agri-food exports. Beef continues to be the major value-added product, with exports valued at $1.4 billion in 2000. Pork exports increased significantly in 2000 to total $177 million.

Worldwide market opportunities for Alberta food products are strong. There is market potential for primary agriculture to increase to $10 billion per year, and for value-added processing to increase to $20 billion per year, by 2010.

Livestock Profiles

[1] Investment Development Branch, AAFRD, 2000

Cattle

Alberta continues to lead the country in cattle and calf inventories, with 5.16 million head as of January 1, 2001 (Figure 1 shows the density of cattle and calves by municipality for 1996). Currently the province accounts for approximately 56 percent of the cattle in Western Canada and 40 percent of the national total. Of Alberta's total herd, nearly five million (96 percent) are beef cattle.

Cattle and calf inventories have remained fairly static over the last five years, up approximately three percent from 1996. Total numbers of cattle and calves peaked in 2000, with 5.22 million head at January 1. This year's total of 5.16 million represents a 1.2 percent decrease. Preliminary data for the current year indicates that herd rebuilding has begun. Beef cow numbers are up for the first time since peaking in 1996 and beef heifers as replacements increased by more than five percent compared with last year.

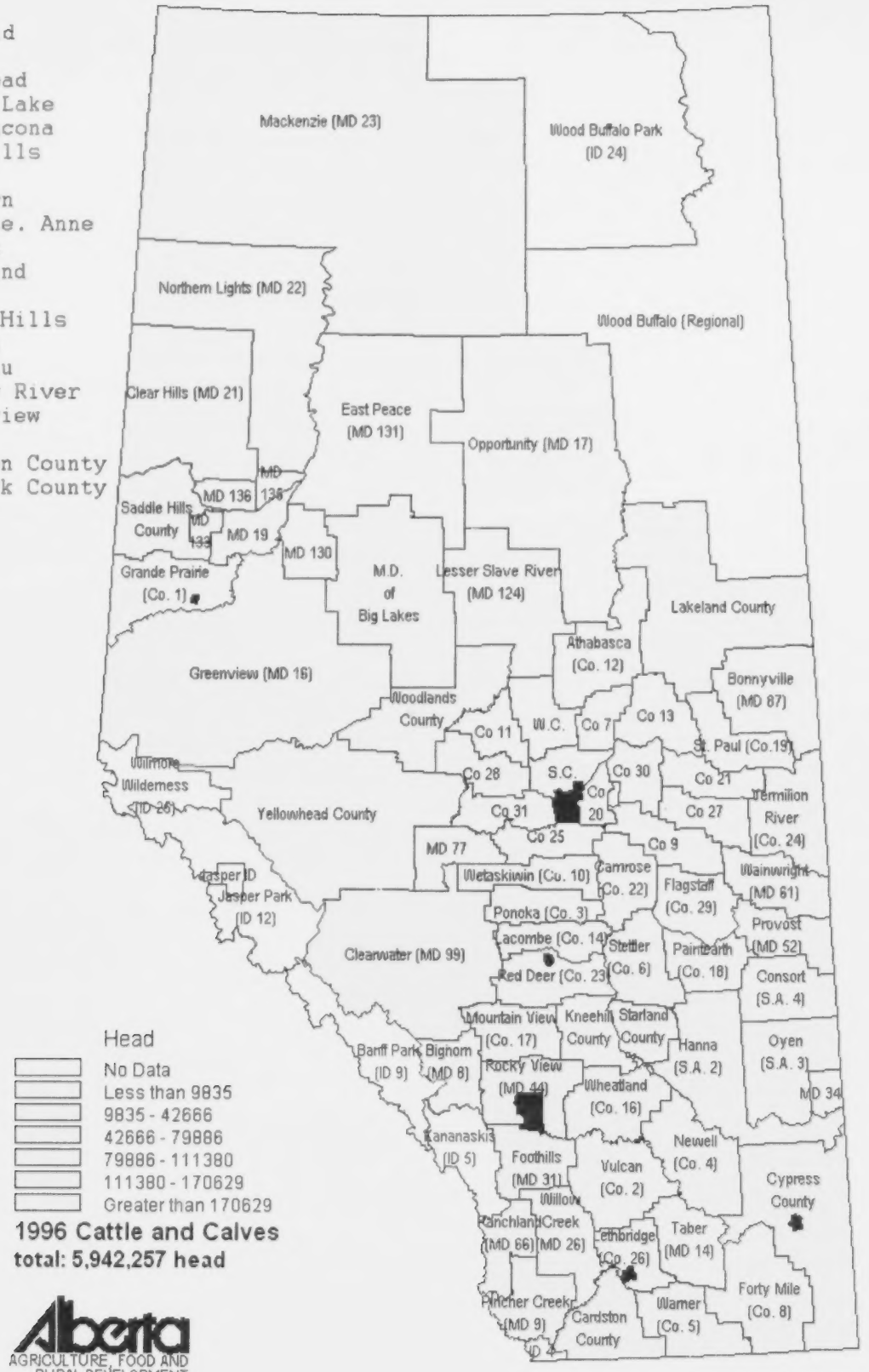
Alberta is the largest processor of beef products in Canada, accounting for 68 percent of the total cattle and calves slaughtered in 2000. The province has four federally inspected cattle slaughter plants with a combined capacity of approximately 46,000 head per week.

The province's beef processing industry concentrates its activities in five areas: carcass beef, boxed beef, variety meats, cured hides, and value-added specialty products. Most of Alberta's beef is exported outside the province. Primary Canadian markets are British Columbia, Ontario and Quebec; current major international markets are the United States, Mexico and Asia.

Co 7 - Thorhild
Co 9 - Beaver
Co 11 - Barrhead
Co 13 - Smoky Lake
Co 20 - Strathcona
Co 21 - Two Hills
Co 25 - Leduc
Co 27 - Minburn
CO 28 - Lac Ste. Anne
Co 30 - Lamont
Co 31 - Parkland

MD 19 - Birch Hills
MD 34 - Acadia
MD 77 - Brazeau
MD 130 - Smoky River
MD 136 - Fairview

S.C. - Sturgeon County
W.C. - Westlock County



Head
No Data
Less than 9835
9835 - 42666
42666 - 79886
79886 - 111380
111380 - 170629
Greater than 170629

1996 Cattle and Calves
total: 5,942,257 head

Alberta
AGRICULTURE, FOOD AND RURAL DEVELOPMENT
Statistics and Data Development Unit

eMapGIS 2000(c) 07/11/2001

Pigs

Alberta ranks fourth in pig inventories in Canada, behind Quebec, Ontario and Manitoba. As of January 1, 2001, the total Alberta herd was estimated at 1.76 million head (Figure 2 shows the density of pigs by municipality for 1996). This represents approximately 36 percent of the pig population in Western Canada and 15 percent of the national total.

The size of the Alberta herd dropped slightly this year from 1.77 million head as of January 1, 2000. However, there are indications that the province's pig inventories have stabilized after five years of decline from the peak of two million head in 1996.

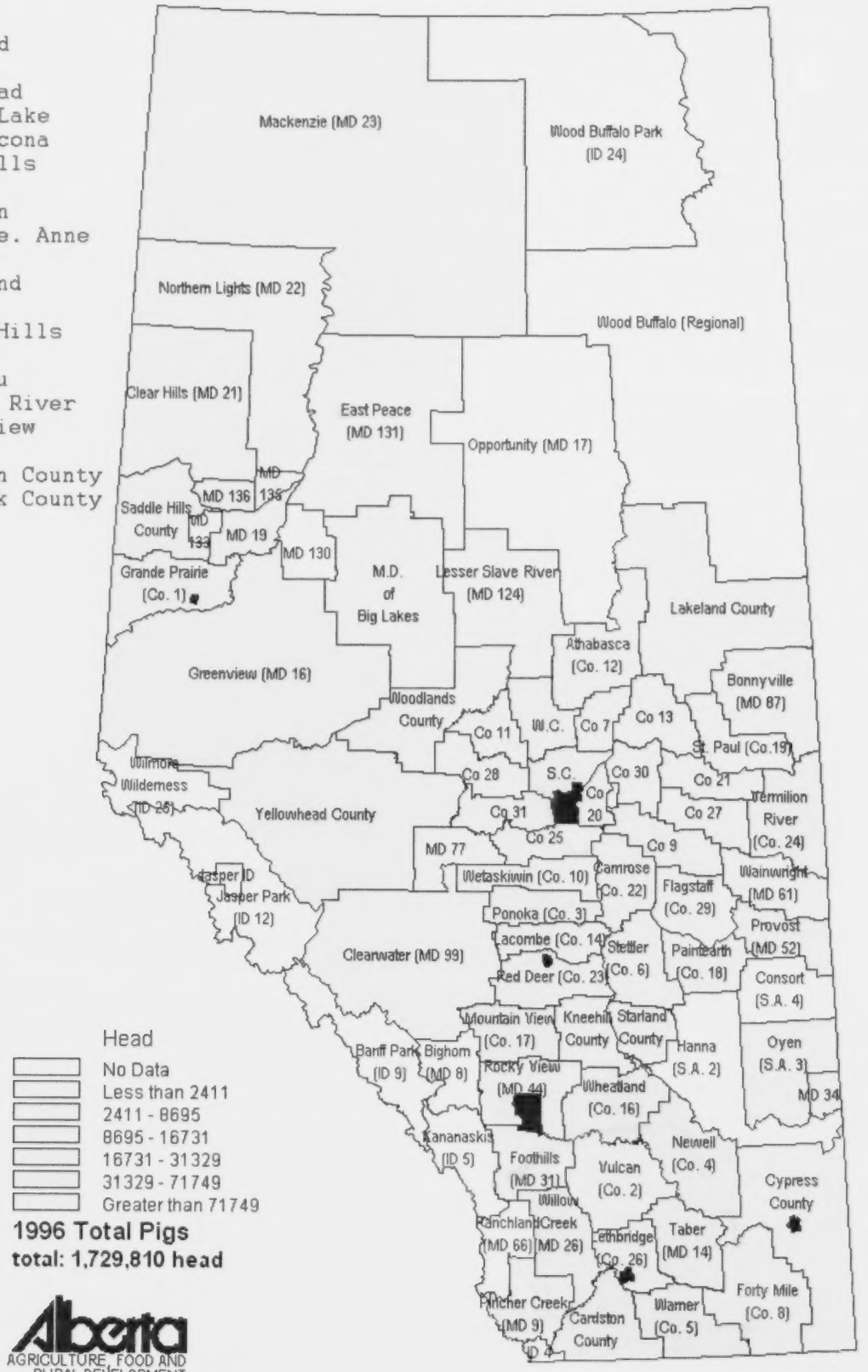
Between 1976 and 2000, the number of pigs in Alberta more than doubled. During the same time period, the number of pig farms dropped from 12,513 to 2,350. The most dramatic decline was in the number of small operations (less than 78 head). In 1976, approximately 82 percent of Alberta's pig farms were in this category, compared to 54 percent in 2000. In contrast, the number of large operations (4,685 head or more) went from very few in 1976 to 82 in 2000.

Alberta is the fourth largest pork processor in Canada. The province has four federally inspected hog processing plants with a combined, single-shift slaughter capacity of 54,000 head per week. Current major export markets for fresh and processed pork products are the United States, Japan, Mexico, and Korea.

Co 7 - Thorhild
Co 9 - Beaver
Co 11 - Barrhead
Co 13 - Smoky Lake
Co 20 - Strathcona
Co 21 - Two Hills
Co 25 - Leduc
Co 27 - Minburn
CO 28 - Lac Ste. Anne
Co 30 - Lamont
Co 31 - Parkland

MD 19 - Birch Hills
MD 34 - Acadia
MD 77 - Brazeau
MD 130 - Smoky River
MD 136 - Fairview

S.C. - Sturgeon County
W.C. - Westlock County



Head
No Data
Less than 2411
2411 - 8695
8695 - 16731
16731 - 31329
31329 - 71749
Greater than 71749

1996 Total Pigs
total: 1,729,810 head

Alberta
AGRICULTURE, FOOD AND RURAL DEVELOPMENT
Statistics and Data Development Unit

eMapGIS 2000(c) 07/11/2001

Poultry and Eggs

Production in Alberta's poultry industry is growing at a steady rate of around six percent per year for chicken meat. Currently there are approximately 600 operators producing eggs, broiler chickens and turkeys (Figures 3 and 4 show the density of hens and chickens, and turkeys, respectively, by municipality for 1996). While production is increasing, the number of operators is declining. This is consistent with the overall trend in agriculture toward fewer and larger operations.

Over the past five years, farm cash receipts from poultry and eggs totaled approximately $175 million annually. Poultry meat accounts for nearly three-quarters of this total and eggs the remainder. In 2000 Alberta produced 65 million broiler chickens and 1.4 million turkeys, as well as 36 million dozen eggs.

Alberta is Canada's fourth largest producer of poultry meat. There are four major federally inspected poultry slaughter facilities, several provincially licensed poultry slaughter facilities and two further processing facilities. At present the domestic market is the focus of Alberta's poultry industry.

Dairy

Alberta ranks third behind Quebec and Ontario in total milk production, producing about eight percent of the national milk supply. Roughly nine percent (101, 000 head) of the total dairy cows in Canada are currently located in Alberta. Over the years, the average operation has increased in size, while producer numbers have declined. For example, in 1990, there were 1,800 milk producers producing 588 million litres of milk annually. As of March 31, 2001, the number of producers fell to 865, while at the same time producing about 625 million litres. Moreover, the number of small and medium-sized dairies (producing less than 690,000 litres per year) has decreased, while the number of large dairies has increased (Figure 5 shows the density of dairy cows by municipality for 1996).

There are 37 registered dairy processing facilities in Alberta, ranging from small to large multinational operations.[2] About half of Alberta's dairy production is marketed as fluid milk and fresh cream. The remainder is industrial milk used to produce a variety of dairy products, including butter, cheese, cottage cheese, ice cream, yogurt, sour cream, novelties, condensed milk, skim milk powder, and whey powder.

Dairy processing contributes about ten percent of the total value of Alberta's food and beverage production. Canada currently accounts for about one percent of the international dairy trade.

[2] Investment Development Branch, AAFRD, 2000

Co 7 - Thorhild
Co 9 - Beaver
Co 11 - Barrhead
Co 13 - Smoky Lake
Co 20 - Strathcona
Co 21 - Two Hills
Co 25 - Leduc
Co 27 - Minburn
CO 28 - Lac Ste. Anne
Co 30 - Lamont
Co 31 - Parkland

MD 19 - Birch Hills
MD 34 - Acadia
MD 77 - Brazeau
MD 130 - Smoky River
MD 136 - Fairview

S.C. - Sturgeon County
W.C. - Westlock County

1996 Hens and Chickens

total: 9,485,635

Alberta
AGRICULTURE, FOOD AND RURAL DEVELOPMENT
Statistics and Data Development Unit

eMapGIS 2000(c) 07/11/2001

Co 7 - Thorhild
Co 9 - Beaver
Co 11 - Barrhead
Co 13 - Smoky Lake
Co 20 - Strathcona
Co 21 - Two Hills
Co 25 - Leduc
Co 27 - Minburn
CO 28 - Lac Ste. Anne
Co 30 - Lamont
Co 31 - Parkland

MD 19 - Birch Hills
MD 34 - Acadia
MD 77 - Brazeau
MD 130 - Smoky River
MD 136 - Fairview

S.C. - Sturgeon County
W.C. - Westlock County

Number
No Data
Less than 84
84 - 301
301 - 1018
1018 - 2226
2226 - 45099
Greater than 45099

1996 Turkeys
total: 842,798

Alberta
AGRICULTURE, FOOD AND RURAL DEVELOPMENT
Statistics and Data Development Unit

eMapGIS 2000(c) 07/11/2001

Co 7 - Thorhild
Co 9 - Beaver
Co 11 - Barrhead
Co 13 - Smoky Lake
Co 20 - Strathcona
Co 21 - Two Hills
Co 25 - Leduc
Co 27 - Minburn
CO 28 - Lac Ste. Anne
Co 30 - Lamont
Co 31 - Parkland

MD 19 - Birch Hills
MD 34 - Acadia
MD 77 - Brazeau
MD 130 - Smoky River
MD 136 - Fairview

S.C. - Sturgeon County
W.C. - Westlock County

Head
No Data
Less than 100
100 - 459
459 - 872
872 - 1577
1577 - 3989
Greater than 3989

1996 Dairy Cows
total: 102,830 head

Alberta
AGRICULTURE, FOOD AND RURAL DEVELOPMENT
Statistics and Data Development Unit

eMapGIS 2000(c) 07/11/2001

Opportunities and Limits to Growth of the Livestock Sector

Once again, Alberta has the competitive advantage in the livestock industry. Expansion and development are taking place in production and processing. Recognizing the importance of agriculture, the Alberta government continues to support the responsible development, expansion and management of Alberta's livestock industry.

Issues that potentially affect the rate and degree of expansion of Alberta's livestock sector are outlined below.

Water Supplies

Agricultural producers are major users of water resources. In many areas of Alberta water supplies are limited. Careful planning and management is required to guarantee a reliable water supply for livestock production.

Alberta Environment (AENV), through the Water Act, is responsible for managing and protecting the valuable water resources of this province. The Water Act protects the rights of all water users by establishing priorities on these rights. The Water Act:

- "Recognizes the importance of household uses of water by providing these uses with a statutory right that has priority over all other uses."
- "Protects existing traditional agricultural uses of water through a streamlined, voluntary registration process that 'grandfathers' the relative priority of the right according to the date when the water was first used." (a first-come, first-served regulation)
- "Protects existing licenses that are in good standing by bringing them forward into and making them subject to the new Act." The relative priority of new licenses is established by the date of these licenses and will be lower than the priority of existing licenses.[3]

Further information on the Water Act can be found in Appendix A.

[3] Water Act Fact Sheet, AENV, 2001

Feed Supplies

Expansion of livestock production is unlikely to be limited by supplies of feed grain. Alberta's production of feed crops has steadily risen to meet increasing demands from the livestock industry. In particular, there is a strong barley-producing sector: Alberta produced 5.4 million tonnes, or 40 percent of Canada's supply of barley, in 2000. Barley is the largest component of hog feed and a major part of feedlot cattle rations. In addition, Alberta's livestock feeding industry is able to source grain from a prairie-wide market.

The availability of pasture in some parts of the province is a limiting factor in the expansion of cow-calf operations. With native range at capacity, the productivity of tame pasture can be increased with rotational grazing and other proven management practices.

Environmental and 'Quality of Life' Issues in Rural Areas

Environmental concerns related to intensive livestock operations include air, soil and water quality. As more Albertans move into rural areas and agriculture intensifies, odour, water and soil contamination, noise and dust become focal points for potential conflict.

The management and use of manure is the main environmental concern related to intensive livestock operations (ILOs). Properly managed, manure enhances the quality of Alberta's soil.

Population Densities

The population density of a rural area is a key indicator of how close neighbors will be to ILOs. In general, there is more concern and controversy over manure management, and especially odour, in areas with higher population density.

Minimum separation distances (MDS) between ILOs and neighboring properties are designed to reduce odour nuisance. Currently the MDS method is not applied consistently across the province's rural municipalities and special areas. In addition, some municipalities place further restrictions on minimum distances in their land-use bylaws.

Fragmentation of Agricultural Land

Every five years since 1976, AAFRD has been monitoring and reporting on changes to the province's agricultural land base. Over that time, there has been an average net loss of less than 0.5 percent (based on 1996 total farmland estimates from Statistics Canada). However, this does not reveal the degree of fragmentation that has occurred.

Over 86 percent of the losses of farmland were due to residential subdivision and oil and gas activity. Furthermore, more than half of the losses occurred on higher quality land (a Land Capability Rating of 1, 2, or 3). In time, the replacement of high quality with lower quality soils in the agricultural land base could permanently reduce production capability.[4]

At the Ag Summit 2000, land use was identified as a key issue that needs to be addressed to secure the future of agriculture.

Municipal Approval Process for ILOs

The approval for development of livestock facilities in Alberta currently rests with the province's rural municipalities and special areas. The Municipal Government Act (MGA) gives municipalities authority over development applications and land use. Further information on the MGA can be found in Appendix A.

Unlike Alberta's other major industries (oil and gas, forestry, industrial processing), ILOs are currently not required to obtain provincial approval on environmental design and safeguards. Instead, municipalities have the primary responsibility for reviewing environmental and engineering aspects of new and expanding ILOs.

Municipalities have a variety of land use bylaws impacting ILOs. In the early 1990s, most municipal bylaws contained few restrictions or information requirements for producers. However, an increasing number of producers found themselves embroiled in local controversy over proposed livestock operations. In an effort to reduce the controversy, many municipalities amended their land use bylaws to require producers to increase the detailed technical information submitted with development applications. Many bylaws were further amended to include environmental protection standards and other operational restrictions.

[4] *Agricultural Land Base Monitoring Report*, Policy Secretariat, AAFRD, 1991-1995

Opponents of ILOs can appeal approvals to the local development appeal board. The development appeal board then has to review complex technical information presented by opposing parties in an emotionally charged setting.

Frequently the community dispute does not end at the development appeal board level. The MGA gives project opponents the right to appeal any procedural or legal errors of the development appeal board to the Alberta Court of Appeal. The Court of Appeal process is extremely costly and leads to many months of delay and uncertainty.

Ongoing Monitoring and Enforcement of Livestock Operations

At present the technical standards used by Alberta's livestock producers are not contained in legislation. The 2000 Code of Practice for Responsible Livestock Development and Manure Management (the *Code of Practice)* contains voluntary guidelines. There are no provisions for authorities at a local or provincial level to ensure compliance. However, municipalities are now incorporating the Code of Practice, either in part or in its entirety, into land use bylaws. When a producer obtains a development permit, a municipality may also include other conditions on the permit.

If the producer fails to comply with these conditions, the municipality can apply for a stop work order. If the producer ignores this order, the local authority can apply for a court order stopping activity on the site. If the producer still fails to comply, the local authority can obtain a contempt order and the producer could go to jail. There are other remedies and enforcement tools, such as fines, that the municipality can use to achieve compliance.

Enforcement action in these cases most often occurs when public complaints are made to the municipality or a provincial agency. An investigation is conducted and a decision made on enforcement by the investigating agency.

Right-to-Farm Legislation

Under common law (the body of law established by court decisions), owners of land are legally bound not to interfere with neighbors' right to use and enjoy their own land. If a producer uses his land in a way that prevents neighbors from using and enjoying their land, the producer can be sued under the common law action of "nuisance". If a court finds that the producer is committing a nuisance, the producer can be ordered to stop his offending practices and pay damages.

At various times of the year, agricultural practices may create nuisances such as dust, noise and odours. In the 1980s, a number of high-profile lawsuits against producers caused provincial

governments across Canada to enact "right-to-farm" laws. These laws are designed to protect producers who follow "generally accepted practices" from being sued by their neighbors.

Alberta's right-to-farm legislation is the Agricultural Operation Practices Act (AOPA). Under the Act, producers who follow generally accepted practices and local land use bylaws are protected from being sued in nuisance. In Alberta it is left to the courts to decide what are generally accepted practices. In most other provinces, a government-appointed peer review board determines generally accepted practices.

Right-to-farm laws do not give agricultural producers an unlimited right to farm their land as they please. Agricultural production is not permitted to pollute the environment and is subject to the following Acts:

- Public Health Act
- Environmental Protection and Enhancement Act
- Livestock Diseases Act
- Agricultural Operation Practices Act
- Water Act
- Agricultural Service Board Act
- Fisheries Act (Canada)

A description of these Acts and how they relate to livestock production is contained in Appendix A.

PLANNING AHEAD

Since early 1998, Albertans have had the opportunity to participate in discussions on sustainable development of the livestock industry in the province. The Livestock Regulations Stakeholder Advisory Group (LRSAG) presented a report to the Minister of AAFRD in May 2000 on a proposed regulatory framework for ILOs. The report included proposed "Definitions, Regulations, Act and Standards Document for ILOs".

In October 2000 the Minister of AAFRD established The Sustainable Management of the Livestock Industry in Alberta Committee to finalize provincial recommendations on outstanding issues related to the development and operation of Alberta's livestock industry. Ty Lund, Minister of AAFRD, said "the Committee will complement the work of the LRSAG. Their report was scientific and very thorough but a few issues still had to be addressed."

Committee Membership

The Committee was chaired by Albert Klapstein, MLA, Leduc. Its members included:

Judy Gordon, MLA, Lacombe-Stettler
Roelof Heinen, Picture Butte (former President, Alberta Association of Municipal Districts and Counties)
Ron Stevens, MLA, Calgary-Glenmore
Ben Thorlakson, Airdrie (Past President, Canadian Cattlemen's Association and Past Chairman, Alberta Cattle Commission)

Mandate

The Committee's mandate was to recommend a framework that ensures sustainable development of Alberta's livestock industry. The Committee examined the outstanding issues of provincial and municipal roles, approval processes and ongoing monitoring and enforcement.

Terms of Reference

The Terms of Reference for the Sustainable Management of the Livestock Industry in Alberta Committee are as follows:

1. Recommendations of the Committee are to be presented to the Minister of AAFRD in the form of a written report by the Chairman of the Committee.

2. The Committee shall provide a report within six months.

3. The Committee may study and make recommendations to the Minister concerning:
   a. the most appropriate framework and processes for the approval of new and expanding intensive livestock operations to ensure sustainable development.
   b. the most appropriate framework and processes to undertake the ongoing monitoring of new and existing livestock operations to ensure compliance with appropriate legislation and standards.
   c. the Committee shall examine current mechanisms, gaps in the existing framework and processes and recommend alternative frameworks and processes for the approval and monitoring of intensive livestock operations.
   d. recommendations regarding legislation and regulatory requirements should be confined to overall processes as specific technical standards have already been reviewed extensively and work in some key areas is ongoing.
   e. the most appropriate mechanisms for government to partner with and assist the industry to ensure that industry practices lead to economically and environmentally sustainable development.

PRINCIPLES FOR SUSTAINABLE LIVESTOCK DEVELOPMENT

This Committee believes it is important to have a clear understanding of what sustainable livestock development is in order to evaluate policies and programs.

Many organizations base their understanding of sustainable development on the Bruntland definition. In 1987 the United Nations Commission on Environment and Development (the Bruntland Commission) defined sustainable development as "meeting the needs of the present without compromising the ability of future generations to meet their own needs."[5]

Natural Resources Canada uses this definition as the basis for its approach to sustainable development:

> The sustainable development of natural resources will enable us to protect the health of the natural environment and land mass, while efficiently meeting human needs . . . and providing similar opportunities for future generations.[6]

Agriculture and Agri-Food Canada adapts these concepts to the agriculture industry:

> Sustainable agriculture protects the natural resource base, prevents the degradation of soil, water and air quality, and conserves biodiversity;[7] contributes to the economic and social well-being of all Canadians; ensures a safe and high-quality supply of agricultural products; and safeguards the livelihood and well-being of agricultural and agri-food workers and their families.[8]

A review of definitions and principles used by other organizations reveals a wide range of perspectives. However, a number of common themes indicate consensus in fundamental areas. The Committee has adapted these themes to Alberta's livestock industry and developed the following:

[5] World Commission on Environment and Development, 1987
[6] *Sustainable Development Strategy*, Natural Resources Canada, 2000
[7] Biodiversity refers to the variety that exists in the living world. It includes genetic diversity, species diversity, and ecosystem diversity.
[8] *Agriculture in Harmony with Nature II*, Agriculture and Agri-Food Canada, 2000

Guiding Principles for Sustainable Development

- *Anticipation and Prevention:* taking a proactive approach to agricultural issues by preventing problems before they occur whenever possible
- *Communication and Accountability:* implementing an open decision-making process, regular communication, and public reporting to instill confidence that agricultural production is safe and sustainable
- *Economic Viability:* ensuring that net returns from production provide an adequate standard of living for current producers and are sufficient to attract new producers to the industry
- *Environmental Protection:* safeguarding the ability of natural ecosystems to support life and recover from disturbances caused by agricultural production
- *Human Health and Safety:* protecting both agricultural workers and the public from dangers that may arise from the production process
- *Integrated Decision-Making:* balancing economic, environmental, and social considerations in making decisions about agriculture
- *Monitoring and Compliance:* allocating sufficient resources to effectively monitor operations and, when necessary, enforce compliance with regulations and standards for agricultural production
- *Mutual Responsibility:* making sustainable development the responsibility of all participants in the agriculture industry, including producers, researchers, policy makers, retailers and consumers
- *Partnerships:* consulting with stakeholders to build consensus and form partnerships in working toward common goals for agriculture
- *Science-based Information:* promoting the use of scientific information as the basis for decision-making in agriculture and supporting further research when more information is needed
- *Stewardship:* using the natural resources of soil, air and water efficiently and maintaining them for the benefit of future generations
- *Systems Perspective:* recognizing the importance of interrelationships at all levels of agricultural production, from the individual farm to the local environment to the surrounding community

SUMMARY OF PUBLIC CONSULTATIONS

The Committee was asked to seek out the concerns and views of key industry organizations, municipalities and the public. Albertans were invited to provide their input on this important matter through written submissions to the Committee, and by making an oral presentation at a public meeting in early 2001. The Committee developed various tools to advise interested parties of the process. News releases, advertisements, and an MLA package were developed and the information was posted to the AAFRD website. There was a great deal of interest shown in the Committee's work, and many organizations and individuals made their points in a thoughtful and, on occasion, forceful manner.

The Committee received 87 written submissions – some from presenters with follow-up information, but many from individuals who did not make oral presentations. These were submitted in a number of ways, including email, mail and fax. In total, 104 oral presentations were heard over the eight days (50 hours) of public meetings in six different locations. Attendance at the meetings ranged from 30 people to 150 people.

Public Meetings

Location	Date(s)	# of Presentations
Lethbridge	January 22, 23	25
Airdrie	January 24	12
Red Deer	January 26, 27	28
Vermilion	January 29	15
Barrhead	January 31	13
Grande Prairie	February 2	11
Total locations = 6	**8 days of public meetings**	**104 presentations**

In order to accommodate everyone who wished to make a presentation, presenters were each given 20 minutes to speak. They were invited to submit additional material, especially in response to questions from the Committee.

The Committee was very pleased with the response to the public consultation process and gratefully acknowledges the efforts and commitment of all who participated in the process.

A complete summary of the written submissions and oral presentations can be found in Appendices B and C respectively.

THEMES AND RECOMMENDATIONS

Key Themes

The Committee has focused its conclusions and recommendations on the following key themes:

- new provincial legislation for intensive livestock operations
- a single provincial body with authority to regulate intensive livestock operations
- a consistent and transparent approval process for new and expanding intensive livestock operations under the proposed Sustainable Livestock Production Act *
- comprehensive monitoring activities and enforcement to ensure compliance with province-wide regulated standards
- partnerships with municipalities to develop long-term land use plans
- stronger right-to-farm legislation
- completion of the agricultural assessment and farm tax review

Recommendations

> ***Recommendation 1:***
> The Alberta Government proceed with provincial legislation for intensive livestock operations.

The new regulatory framework will include:

- a provincial approval process for intensive livestock operations
- ongoing monitoring of intensive livestock operations
- technical standards and procedures for new and expanding intensive livestock operations
- provincial decision making on land use

* Report of the Livestock Regulations Stakeholder Advisory Group, 2000

> ***Recommendation 2:***
> Appoint a Sustainable Agriculture Review Board, referred to as *the Board*, with authority for regulating intensive livestock operations.

The Board's authority would be established under the new regulatory framework. *The Board* would be appointed by, and accountable to, the Minister of AAFRD. Its responsibilities would include the approval process for ILOs, ongoing monitoring of livestock operations, and enforcement of provincial standards. In carrying out these responsibilities *the Board* would have the authority to:

- make final decisions on all land use and technical requirements related to new and expanding ILOs
- appoint a Director to review applications and, under *the Board's* guidance, issue approvals or reject applications
- when required, convene appeal hearings and make the final decision on appeals of the Director's decisions

In appointing *the Board*, the Committee recommends the following:

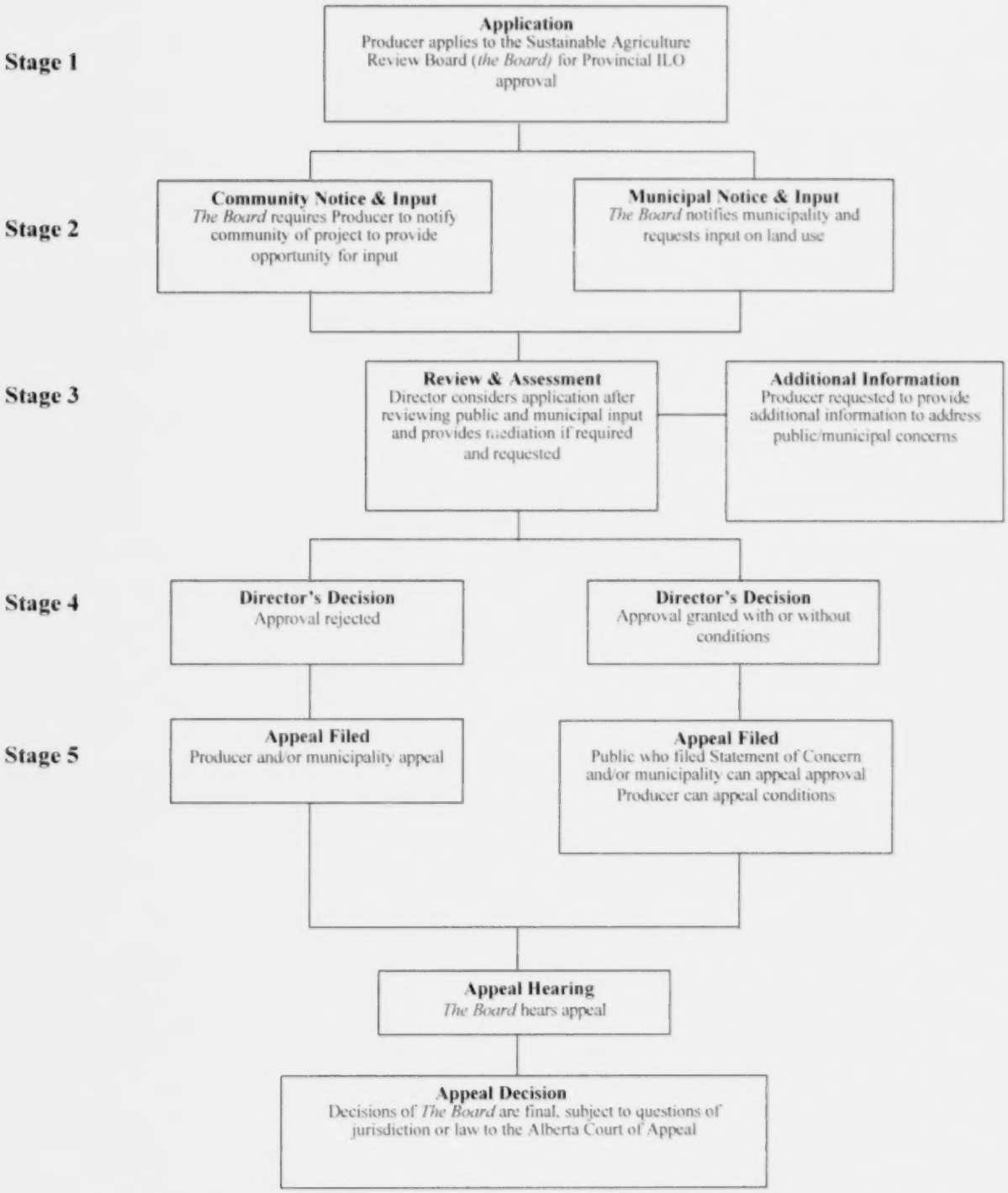
- broad representation to ensure input from all stakeholders (agriculture, health, environment, livestock production, municipal and community development)
- appointees have the knowledge and experience to determine whether development applications meet provincial standards and ensure responsible growth of the livestock industry
- members of the public be appointed to *the Board*

Recommendation 3:
Establish a consistent and transparent approval process for new and expanding ILOs under the proposed Sustainable Livestock Production Act.

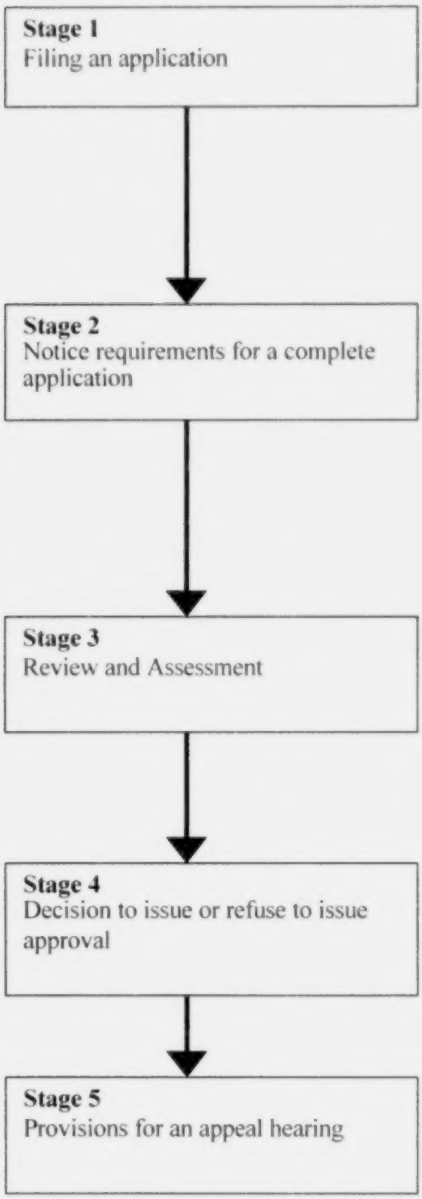
The Board becomes the provincial agency with primary responsibility for reviewing and issuing approvals (Figure 6). The proposed framework for a new approval process recommends:

- an approval process that ensures consistency and transparency
- province-wide standards to create a level playing field for all parties
- science-based criteria for evaluating proposed developments
- assessment of applications by qualified professionals and rejection of incomplete applications
- public notice and public input on environmental, health, and social issues
- municipal input on land-use considerations
- defined and restricted right to appeal

Figure 6 - Proposed Provincial Intensive Livestock Operation (ILO) Approval Process


Stage 1
Application
Producer applies to the Sustainable Agriculture Review Board (*the Board)* for Provincial ILO approval
Stage 2
Community Notice & Input
The Board requires Producer to notify community of project to provide opportunity for input
Municipal Notice & Input
The Board notifies municipality and requests input on land use
Stage 3
Review & Assessment
Director considers application after reviewing public and municipal input and provides mediation if required and requested
Additional Information
Producer requested to provide additional information to address public/municipal concerns
Stage 4
Director's Decision
Approval rejected
Director's Decision
Approval granted with or without conditions
Stage 5
Appeal Filed
Producer and/or municipality appeal
Appeal Filed
Public who filed Statement of Concern and/or municipality can appeal approval
Producer can appeal conditions
Appeal Hearing
The Board hears appeal
Appeal Decision
Decisions of *The Board* are final, subject to questions of jurisdiction or law to the Alberta Court of Appeal

Specific responsibilities of the Sustainable Agriculture Review Board (*the Board*):



The Board would establish the requirements for the proposed operation, based on provincial standards including: minimum distance separation (MDS), construction (eg. lagoon designs and specifications), operating (eg. manure spreading), monitoring (eg. groundwater quality), and reporting (eg. submission of groundwater monitoring reports).

The Board directs that the community be notified of all applications for an approval. When an applicant notifies the community, those persons who are directly affected by the application and the municipality may submit a written statement of concern to the Director outlining their concerns and may appeal the decision to issue an approval. Municipalities would automatically have intervener status in the process.

At this stage, the completed application, including statements of concern, are reviewed. In order to complete the review, additional information may be required from the applicant. The Director can require the applicant to address statements of concern from the public. Differences are resolved or explained. Mediation will be offered if required and requested.

At this stage, the Director decides whether an approval will be issued and what conditions, if any, will be required. The Director will also consider any statements of concern filed by those who are directly affected prior to making a decision.

Requests for appeals are submitted to *the Board*. The applicant and any person who previously submitted a statement of concern may appeal. The decision of *the Board* is final, subject to questions of jurisdiction or law to the Alberta Court of Appeal.

The process recommended by the Committee builds on similar processes that have worked well for other major industries – oil and gas, forestry, pipelines, petrochemicals – who receive approvals at the provincial level through a clearly defined process. Such processes have protected the environment and allowed appropriate input from local stakeholders and the municipality. In return, the industry has a reasonable level of certainty about approval requirements, timing and costs.

The following table illustrates the differences between the proposed ILO approval process and the process currently being used at the municipal level for ILOs (see Appendix D).

	Proposed ILO Approvals	**Municipal Approvals**
Community Notification and Participation	• Broad at the beginning and public participation narrows as you move through the process	• Narrow at the beginning, broadens to include more people as you move into the appeal phase
Timing of Community Input and Municipal Notice	• Community input provided prior to review of the application • Mediation offered if required and requested	• Community input provided after initial permit is granted, although neighbours are often notified prior to decision
Technical Review	• Review of technical information performed by technically trained officials	• Review of technical information performed by AAFRD staff, at the request of the municipality
Notification of Approval	• Restricted to the developer and those who filed Statement of Concern	• Broad notification of development permit decision
Right to Appeal	• Restricted to public who filed Statement of Concern and/or municipality. Producer can appeal conditions.	• Broad right to appeal – anyone within the community can appeal
Right to Speak to Appeal	• Restricted to the parties and those meeting the test for third party intervention	• Anyone can speak and participate in the appeal
Right to Appeal to the Courts	• *The Board* decision is final subject to questions of jurisdiction or law to the Alberta Court of Appeal	• Broad right to appeal on legal grounds. Procedure for appeal to courts in the MGA. Two-step court of appeal process

Potential benefits of the proposed provincial ILO approval process include the following:

- a provincial "one-window" application process for producers seeking development approval
- technical standards are clear, consistent and science-based

- provides for consistent assessment of technical issues and application of technical standards
- provides the public with confidence that the industry is managed responsibly and environmental issues are being addressed
- producers required to provide more detailed information earlier in the process
- promotes mediation as a means of resolving issues
- provides opportunity for an appeal review by *the Board*, if necessary
- public participation early in the process
- only persons deemed directly affected can participate in mediation and appeals
- ensures all relevant issues are before *the Board* at one time
- increases objectivity in the decision-making process
- limits right to appeal, reducing the number and costs of appeals
- reduces the conflict inherent in the current process

Recommendation 4:
Implement comprehensive monitoring activities and enforcement to ensure compliance with province-wide regulated standards.

The Committee proposes that the new regulatory framework include monitoring, compliance inspections and enforcement actions in which:

- *the Board* is the primary provincial agency responsible for ongoing monitoring and enforcement activities
- the livestock industry continues to develop self-improvement approaches, keep pace with evolving technology, and adopt new and innovative best practices (e.g., environmental management systems, stewardship programs)
- a complaint-driven investigation process is used
- random spot-check inspections are used if required
- the focus is on remediation first, with a subsequent hierarchy of enforcement tools used to achieve compliance
- prosecution would only be considered in the most serious cases when other measures have been unsuccessful
- opportunity for operators to appeal the compliance or enforcement action exists
- partnership with the Agricultural Service Boards and Agricultural Fieldmen is used to conduct inspections or audits

In the livestock industry, compliance with legislated standards serves two major goals: protection of the environment and public confidence in the industry. Activities to ensure compliance include

proactive measures, such as education and prevention initiatives, and reactive measures such as enforcement responses.

> ***Recommendation 5:***
> Partner with municipalities in developing long-term land use plans.

The Committee recognizes that Alberta's rural municipalities have a key role in ensuring there are sufficient productive lands for the agriculture industry. Municipalities also have a key role in ensuring that local concerns are resolved in a responsive, community-based manner.

Almost every rural municipality in the province specifies in its land-use bylaws or development plans that agriculture is the predominant land use. However, in most of these municipalities, ILOs are discretionary uses.

The land base must be secured if the livestock industry, and the forage and feed industries that support it, are to grow and prosper. A strong commitment of the land in rural Alberta to all agricultural uses, including ILOs, is needed. It is suggested that municipalities develop agricultural zones where intensive livestock operations are permitted uses. In return, the province could provide incentives for infrastructure to develop these zones. Advance planning will ensure that the appropriate land base is provided to support the needs of this industry and provide certainty to communities and investors.

Recommendation 6:
Strengthen right-to-farm legislation.

The Committee recommends that the Alberta Government follow the example of other provinces and strengthen the Agricultural Operation Practices Act (AOPA) by:

- acknowledging that rural areas are first and foremost where farm activities occur
- establishing a peer review board to clearly define what is generally accepted practices

The Committee recognizes that with the new threshold for intensive livestock operations there will be concern about the construction standards and operating requirements for confined livestock feeding operations which fall below the threshold and exceed the values in the *Code of Practice*. To ensure that there are standards for these operations, the Committee recommends that the standards be established in regulation under AOPA and that *the Board* enforce the standards. The Committee further recommends that producers should not have to obtain development permits for the smaller operations but instead register with *the Board*.

Three main themes must be addressed:

- protection of producers from nuisance complaints by neighbors, provided they are following generally accepted practices
- no municipal by-laws apply to restrict a normal farm practice carried on as part of an agricultural operation
- standards for operations which fall below the new threshold for intensive livestock operations

It is the Committee's position that provincially initiated changes to the AOPA will better meet the needs of all rural residents by:

- protecting the rights of livestock operations that have been approved and duly developed, or have been in operation for many years
- protecting agricultural operations against encroachment and competition of urban and commercial interests
- ensuring that agricultural practices with a high risk of compromising health, safety or the environment are not continued indefinitely

Recommendation 7:
Complete the agricultural assessment and farm tax review.

In rural municipalities with many ILOs and limited industrial revenue, ratepayers view the tax burden on land and residences as unfair. Taxing ILOs on a county-by-county basis would create a patchwork of different rules and fail to meet industry needs.

ILOs place a significant additional demand on the municipal infrastructure. However, there is no additional revenue raised through property taxation after the development is in place. The Committee believes provincially initiated changes in the assessment and taxation of ILOs would enhance public acceptance for new and expanding ILO developments.

The MLA Farm Property Assessment Review Committee is currently studying agricultural assessment and taxation issues.

Legislative Requirements

The Committee recognizes that the following legislative actions would be required to implement its recommendations:

- Introduce new legislation called the Sustainable Livestock Production Act and enact *the Board*
- Amend the Municipal Government Act (MGA) to recognize the authority and paramountcy of *the Board*
- Municipalities would have to amend their bylaws related to development permits for ILOs
- Amend the Agricultural Operation Practices Act (AOPA) to establish a peer review board to decide what are generally accepted practices

CLOSING COMMENTS

The Committee would like to thank the many Albertans who contributed their ideas and opinions during the consultation process. While a variety of opinions exist as to specific plans and procedures, there is consensus on the vital role of agriculture, and specifically the livestock industry in Alberta. Stakeholders recognize the importance of balancing growth with responsible stewardship of natural resources.

The Committee strongly encourages the Government of Alberta to make this important issue, a regulatory framework that ensures sustainable development of Alberta's livestock industry, a priority. The Committee understands that it will take time for many of its recommendations to be implemented. However, action must begin and begin now, so in years to come, the goal of long-term, sustainable and responsible growth in Alberta's livestock industry can be achieved.

SOURCES AND RELATED DOCUMENTS

Alberta Agriculture, Food and Rural Development. *2000 Code of Practice for Responsible Livestock Development and Manure Management*. Edmonton: Alberta Agriculture, Food and Rural Development, 2000.

- - -. *Statistics and Development Unit, Economics and Competitiveness Division*, 2001.

Alberta Environment. *Water Act Fact Sheets*. Edmonton: Alberta Environment, 2000.

Livestock Regulations Stakeholder Advisory Group. Report presented to the Alberta Government, 2000.

APPENDIX A
Compliance with Existing Legislation

This guide provides assistance to readers on the review of applicable legislation. Readers are responsible for ensuring that they comply with all legislation in Alberta governing their activities.

There are several acts and regulations that apply to livestock operations. It is important to remember that the *Public Health Act* will apply to any individual practice, law, license, approval, permit or other authorization issued by either the provincial or municipal government. As well, general provisions of the *Environmental Protection and Enhancement Act, Water Act, Regulations Regarding the Destruction and Disposal of Dead Animals Act* and the *Fisheries Act* apply to livestock operations.

Alberta Legislation

- Public Health Act
  The *Public Health Act* takes precedence over all other provincial statues except the *Alberta Bill of Rights.* Under public health or nuisance provisions, the Regional Health Authority can take any action needed, in its opinion, to order the elimination of a health risk. The Act is enforced by the province's 17 Regional Health Authorities.

- Environmental Protection and Enhancement Act
  Alberta farmers, as with all Albertans, are subject to general environmental protection laws. No person is allowed to release into the environment any substance, in any amount, that causes or may cause a significant adverse effect. Adverse effect means impairment of, or damage to, the environment, human health, safety, or property. Alberta Environment is responsible for enforcing this legislation.

  - Land and Water
    As manure releases are not required to be authorized, the operator is able to store and handle the manure as long as it does not cause a significant adverse effect. Transported manure must be adequately contained or covered to prevent it from falling off or being blown off of vehicles and equipment on public roads. Alberta Environment is responsible for enforcement, with some delegation to municipalities for litter provisions. The Act has been used to resolve and enforce point-source pollution releases from livestock operations.

- Air

  Releases of gases from fresh manure or manure that is stored and handled do not require approvals. However, burning of animal manure and dead animals by open fire is not permitted unless specifically approved by Alberta Environment.

- Livestock Diseases Act

  Under the *Regulations Regarding the Destruction and Disposal of Dead Animals*, dead animals must be properly disposed of within 48 hours to minimize odours, flies, and transmission of disease to other animals. Under specific conditions, animals can be either buried, burned, composted, naturally disposed of, or transported to a rendering plant for disposal. Although the legislation is under Alberta Agriculture, Food and Rural Development, appointed veterinary inspectors and peace officers may enforce provisions of the Act.

- Agricultural Operation Practices Act

  This Act is designed to protect farmers who are (1) using generally accepted practices, (2) following municipal bylaws, and (3) following any regulations under the Act from common law nuisance liability. Farms retain protection even if the municipal bylaws or adjacent land uses change. The Act allows the Minister of Alberta Agriculture, Food and Rural Development to make regulations concerning agricultural practices. Currently, there are no regulations.

- Water Act

  This Act balances policy interests such as management of water supply, environmental sustainability, and Alberta's economic growth and prosperity. The provincial water licensing procedure is designed to ensure that the operator has a sufficient and sustainable water source and that a new withdrawal will have no affect on those already drawing water from the same source. Once the operator has a license, he is protected from new developments that may adversely affect his current water needs. In times of shortage, water for human domestic needs takes precedent over any other use of water. In times of extreme water shortages, Alberta Environment will enforce the hierarchy of domestic use and water licenses.

- Municipal Government Act

  To achieve orderly, economical and beneficial development, use of land, patterns of human settlement, and quality of physical environment, Alberta's rural municipalities have been responsible for development control of intensive livestock operations since the 1950's. To develop their own laws regarding subdivision and development, the municipality writes a Municipal Development Plan (required by municipalities with a population of over 3,500) that

describes future land uses within the municipality and the manner in which these uses will be reviewed. As well, all municipalities must adopt a Land Use Bylaw that divides the municipality into land use districts that establishes permitted and discretionary uses, describes decision-making processes and notification procedures. Both Municipal Development Plans and Land Use Bylaws require public hearings before they are adopted. Municipalities are responsible for enforcing bylaws and development conditions.

Municipal councils may pass bylaws respecting safety, health and welfare of people, including the protection of people and property. These bylaws may include nuisance, activities in relation to wild or domestic animals and transportation. Bylaws made in relation to these subjects may have an impact on agricultural operations.

Federal Legislation

- Fisheries Act

Manure escaping from a lagoon, runoff from fields where manure was recently spread, or improperly disposed dead animals may be considered a harmful substance if fish and fish habitat are threatened. The *Fisheries Act* has provisions for fines and imprisonment if harmful substances are deposited into water frequented by fish, including water that may eventually enter water frequented by fish.

APPENDIX B
Summary of Public Consultation
Written Submissions

A. Forward

A total of 87 written submissions were received and entered into the database.

The following provides an overview of the written submissions to the Committee. Submissions were extremely variable in content and format – from one paragraph to submissions with large multi-page attachments supporting their position.

Many submissions recognized that a problem exists but had difficulty in suggesting recommendations or solutions. The submissions had little consistency in how they addressed the issues of legislation, land use and process, making interpretation somewhat difficult. A number of submissions expressed protest or concern over conflicts they were personally involved in, either for or against an intensive livestock operation (ILO) development. Such submissions were asking for advocacy or assistance in resolving their situation but contributing little to the mandate of the committee.

B. Database Setup

The database needed categories defined for cataloguing the issues contained in the submissions. The template used is found in Section E.

C. Summary of Written Submission

Responses have been catalogued into four main categories; legislation, land use approval process and other anticipated issues. These responses have been totaled and are presented in a tabular format. Additional "comments" and "recommendations" have been extracted from the submissions and are in Section F.

(1) Summary of Views on the Issue of Legislation

The table below summarizes responses from the written submissions clearly identifying the issues relating to legislation in Alberta affecting environmental, health and operational standards as they apply to the development of ILO's.

Issue Relating to Legislation	Responses
Not identified as an issue	24
Accept the Status Quo	1
In favor of Provincial Regulatory Standards	50
Not in favor of Provincial Standards	1
In favor of Local Regulatory Standards	9
Right to Farm Legislation	1
Jurisdictional Issues (Who should do what)	1

(2) Summary of Written Submissions Identifying Land Use Issues

The following table summarizes issues raised in the written submissions relating to land use. The categories are quite broad reflecting the very diverse nature of the written responses.

Issue Relating to Land Use	Responses
Not identified as an issue	23
Lack Policy Protecting ILO's	4
Lack Policy Protecting neighbors	4
Lack of Environmental Standards	23
Environmental Standards too strict	2
Where does the buck end?	3
Taxation	2
Quality of Life	4
Land Use is Municipal Responsibility	21
Land Use not a Municipal Responsibility	1

(3) Summary of Written Submissions Identifying Approval Process Issues

A large number of submissions expressed a wish for some vague type of provincial approval framework or no comment at all. Submissions recognized the need for a process but offered little in the way of guidance as to what it might look like. Of those submissions expressing this as an issue, strong support was evident for some degree of local involvement in the approval process in conjunction with the province.

Issues Relating to Approval Process	Responses
Not identified as an issue	43
In favor of the existing process	3
Local permitting with Prov. Standards	23
Provincial Approvals	16
Municipal Resources (expertise & funding)	1
Appeal Mechanism	1

(4) Summary of Responses in Anticipated Comment Categories

Provision was made in the database to note anticipated comments in addition to the three main issues of legislation, land use and approval process. Although additional comments have been extracted from the submissions (see Section F), the following table gives a tally of responses in those comment categories. For each written submission, the database allowed only one anticipated issue to be selected.

Anticipated Issue Comments	Responses
No additional issues	42
Contamination of ground water	1
Contamination of surface water	1
Corporate Farms	4
Foreign Investment	1
Health & Nuisance	23
MDS	4
Property Values	3
Public Involvement	7
Water Licencing	1

(5) Enforcement and Monitoring

Enforcement and ongoing monitoring are integral to legislation. Enforcement was noted as an issue in 41 of the 87 submissions. Monitoring as an issue was noted in 23 out of the 87 submissions.

(6) Demographics

This data was difficult to determine. A number of written submissions were submitted by email without an address or means of location.

D. Concluding Comments

Based on the submissions received:

1. There seems to be strong support from both the industry and the public at large for some provincial involvement in the area of technical standards, approvals, enforcement and monitoring. Overall the comments support:
   - To provide consistency of standards and procedure throughout the province.
   - To build public confidence that health and environmental issues are being addressed through science based standards, and follow up enforcement and monitoring.
   - To remove the risk and uncertainty for the livestock industry, creating a climate under which they can develop based on scientific based rules and regulations.

2. Land use issues are complex and understood by few people. There was strong support for some degree of involvement by local municipalities in the zoning, social and infrastructure issues associated with ILO development.

E. Database Setup – Written Submissions

Category	Selection
Legislation	1. In favor of existing legislation (Status Quo) 2. In favor of Provincial Technical Standards 3. Not in favor of Provincial Technical Standards 4. In favor of Local Land Use By-laws 5. Not in favor of Local Land Use By-laws 6. Right to Farm Legislation 7. Jurisdiction (Who?)
Land Use	1. Lack of policy protecting ILO's 2. Lack of policy protecting neighbors 3. Lack of Environmental Standards 4. Environmental Standards too restrictive 5. Where does the buck end? 6. Taxation 7. Quality of Life 8. Land use approval belong to municipality 9 Land Use approvals do not belong to municipality
Approval Process	1. In favor of existing process (Status Quo) 2. Local permitting with provincial standards 3. Provincial approval (license, registration, permit) 4. Municipal resources (expertise, funding) 5. Appointment of appeal boards 6. Appeal Mechanism
Comment	1.Contamination of Groundwater 2. Contamination of Surface water 3. Corporate farms 4. Foreign Investment 5. Health and nuisance concerns 6. Minimum Distance Separation 7. Property values 8. Public involvement 9. Water Licensing
Respondent	1. Individual 2. On behalf of a group
Organization	1. Agricultural producer 2. Citizen (interested party) 3. Livestock/Commodity Group 4. Agri Business 5. Municipal Government 6. Provincial Government 7. Federal Government 8. Non government environmental group 9. Academic/research 10. Other
Region	1. South 2. Central 3. North East 4. North West 5. Peace Region 6. Special Areas
Location	1. City 2. Town/Village 3. Farm 4. Acreage 5. Other
Signature	1. Yes 2. No

F. Summary of Comments taken from Written Submissions

These were comments extracted in addition to or supplementary to the issues identified in the tables in the report. Comments were noted that seemed relevant to the intent of the committee.

- Is not in favor of Alberta Agriculture, Food and Rural Development (AAFRD) doing site assessment - would be perceived as both promoter and approval agency.
- Concerned about increased restrictions hindering the future of agriculture.
- Interested in technology to abate emissions from piggeries, specifically anaerobic digestion.
- Copy of a letter regarding a specific development situation in a Central Alberta County.
- Concerned about the inconsistency of local by-laws that are taking away individual property rights.
- Opposes an assessment footprint as a solution to current ILO development issues such as road and environmental impacts.
- Concerned about uncontrolled expansion of ILO's in the area of respondent and future effects on nuisance and property values.
- Concerned about the trend in local bylaws in eroding individual rights.
- Sites the hazards of intensive production: antibiotics, steroids, etc.
- Advocates extensive livestock production. (organic, free range)
- Supports provincial legislation but has concerns about enforcement.
- Suggests the consultation process is too brief for such a complicated issue.
- Recognize the opportunity for livestock production and value added as a means for diversification in the agricultural sector.
- The provincial Code of Practice, although a good minimum guideline helpful to development authorities, is no longer sufficient.
- Regulations controlling the environmental issues, are urgently required with suitable monitoring and enforcement in place.
- Proposes technical options for solving environmental problems associated with livestock production.
- Proposes exemption of cow-calf/backgrounding operations from ILO legislation.
- Need more stringent minimum distance separation (MDS) setbacks.
- Restrict the clustering of ILO's in the same area.
- Lack of follow up on permit conditions.
- AAFRD may be seen in conflict of interest.
- In favor of municipalities playing the major role in ILO development.

- Provincial government to have support role to both municipalities and developers.
- Request appropriate regulations and legislation are put in place as soon as possible to eliminate this most contentious issue.
- Attached documentation regarding ILO nuisance situation near the town.
- Concur generally with the Alberta Association of Municipal Districts and Counties (AAMD&C) position i.e. Provincial implementation and enforcement of Provincial regulations to address environmental, health and nuisance concern, while leaving land use determination and appeals to the municipalities.
- Compliance with existing legislation must be closely monitored and enforced by provincial authorities.
- Strongly in favor of present autonomy of County to site and approve ILO's.
- Concerned about the stockpiling of manure relative to watercourses and the lack of enforcement available.
- Development proposal met all requirements of Code of Practice but Development Appeal Board upheld the appeal based on questionable information.
- Would like to see a stronger Provincial Code that was binding for approval.
- Local County lacks expertise and vulnerable to local politics.
- Supports greater effort to advance the use of technology to reduce manure management problems.
- Points out that Alberta must match the United States Environmental Protection Act (EPA) regulatory advancement if we are to be competitive.
- We lack consistent, enforceable regulations.
- Regulations must be based on sound scientific, agronomic and environmental principals.
- Municipalities still have a role in addressing land use and siting issues.
- Supports Alberta Environment (AENV) involvement in developing provincial standards and regulations, not AAFRD.
- Supports AAFRD's as technical advisor, not enforcer.
- Strongly suggests that AAFRD is pro-development so is in conflict of interest as an advisor to the permit issuer.
- There is an urgent need to continue to study how intensive agriculture affects human health both under ideal and "Usual" operating conditions.
- Most complaints can be traced to poor agricultural practices which should be managed probatively to avoid their occurrence.
- There must be clear accountability and authority for those enforcing good agricultural practices.
- Producers must understand that public health executive officers will continue to protect human health on a precautionary basis.

- Will the act governing ILO's only impact the new operations?
- To make this regulations work, all ILO's should have to follow the same guidelines.
- Regulations that separate Agriculture (Sustainable management) and Agribusiness (Factory Farming).
- Include the issue of foreign ownership.
- Bottom line is that producers must be able to make a profit.
- Build on the work previously done on this issue.
- Include the movement towards organic farming.
- Supports the use of "new technologies" for reducing impacts from ILO manure storages.
- Opponents to developments gain power by the fragmentation of authority between province and County.
- Make available technical expertise for municipalities and ILO operators.
- Assist municipalities to ensure a sustainable agricultural sector.
- Obtain input from County in developing regulation.
- Roles of the municipality should include:
- If necessary, set regulations locally that may be more stringent than provincial regulations
- Strongly support that decision making remain with the local municipality.
- Outlines that "precautionary principle" that is the operational outlook for the health region.
- Outlines a regulatory approach for the province.
- Outlines historical progress (or lack of) for improving the sustainability of the livestock industry.
- Suggests that Fresh Air, Abundant fresh water and sustainable soils practices as paramount objectives.
- The municipalities could exceed provincial standards but not lower them.
- Disappointed that the Alberta Government did not follow through with the recommendations of that consensus based committee. (Livestock Regulations Stakeholder Advisory Group)
- Strongly support an expanded and stronger role for the provincial government in ILO development.
- Support improved notice requirements and expanded public involvement in the decision making process.
- Request the support of AAFRD in the implementation and enforcement of regulations for ILOs.
- Expansion of the industry should be modeled after other major industries in Alberta, for example oil and gas.

- Strongly support outcome based provincial regulated standards.
- Roles of provincial and municipal:
  - Local government for enforcement of and use decisions.
  - Provincial government for enforcement of scientific and technical standards.
- Support clarification of provincial role in setting and enforcing operational and environmental standards.
- Enhancement of inter-jurisdictional framework to coordinate, consult, review and permit expanding and new ILOs.
- Support record keeping and soil testing as an absolute must.
- Concern about composting unless done properly.
- A clear developmental technical framework based on environmental sustainability will provide an assurance that protection of the environment is a priority.
- Imperative that municipalities retain the right to determine land uses within their boundaries.
- Under current proposed legislation, AAFRD is responsible for both promoting the livestock industry and for policing it -- this is clearly a conflict of interest.
- The existing Code of Practice does not provide an adequate framework for enforcement.
- Concerns regarding the public getting fair hearing at appeals.
- Expression of lack of confidence in present permitting system.
- Lack of confidence in present manure management technologies.
- Submission consisted of a signed petition against a specific feedlot expansion.
- Supports the municipality having control of their own area with the Provincial Government as watch dog for the approval process.
- Concern with the influx of "commercial factories" and should be dealt with differently than "farming".
- Suggests a balance must be maintained between developer and neighboring land uses.
- Must be give and take in a rural community.
- Rural Health Authorities frustrated with lack of research capacity and the technical expertise to assess large ILOs.
- Reports concerns and issues relating to specific ILO adjacent to community.
- Supports improved manure management for all swine operations in AB setting out specific requirements.
- Local appeal boards do not have the technical expertise to discern between valid technical issues and those that are emotional and scientifically invalid.
- We already have too much interference from Province, the Federal, Provincial and Municipal Governments.

- A submission of newspaper clipping and comments focusing on ILO issues.
- Urging a solution for a specific problem with a piggery adjacent to community.
- Makes a number of operational suggestions for the management and decommission of feedlots.
- Expressing disagreement with the Taiwan Sugar Corporation (TSC) development.
- Large amount of press clipping attached to submission.
- Submission consisted of a "Producer Needs Assessment".
- Urges the elimination of risk and uncertainty through provincial policy.
- Raised ILO issues related to Inter Municipal Boundaries which would be solved through provincial legislation and enforcement.
- Commented regarding some non-conforming ILO situations adjacent or in their jurisdiction.
- Strong views against off shore investment.
- Regulations too lax for "factory farms".
- Expressed opposition to the TSC proposal in the County of Flagstaff
- Expressing concerns associated with the odour nuisance from the neighboring ILO to the town of Bentley
- Expressing concern about the humane aspects of ILO's.
- Enclosed a large amount of information regarding health hazards related to animal products and other health and environmental issues
- Points out fallacies in the idea of "returning to the good old days" as a solution to sustainable agriculture
- Comments on the taxation and the issue of funding transportation infrastructure
- Conflict resulting in the basic philosophic differences between urban and rural residents.
- Details of ILO application outlined, where initially approved by the County but overturned by appeal in spite of all technical requirements in the Code of Practice being met.
- Seen as clear act of discrimination against ILO development
- Expresses wholehearted opposition to intensive livestock production based on the following topics which are elaborated on:
  - opposes "contemporary" animal production as farming
  - points our the horrors of animal fecal waste
  - raises the implications of using pharmaceuticals in animal production
  - animal welfare issues associated with intensive livestock production
  - energy consumption and other ecology issues
  - health issues

Summary of Recommendations Extracted from the Written Submissions

- That summary site assessments should be but in the hands of Alberta Environment.
- Province wide standards that will protect the livestock industry.
- Road damage and environmental impacts be dealt with through posting a bond or development permit.
- The province should appoint an inspection team that is at arms length from the parties concerned to monitor ILO's.
- Environmental assessments need to reflect long term impacts on communities -- not just project costs.
- Incentives needed to locate ILO's away from populated areas.
- AAFRD best equipped to administer approvals, monitoring and enforcement.
- The province needs to help the industry in developing performance guidelines based on common sense, fair, and an agricultural perspective.
- No ILO development be allowed in Alberta.
- Allocate more time to resolve "bigger picture" issues associated with sustainable land management.
- Amend approval process -- public pressure and "little facts" can derail development proposals.
- Provincial guidelines/regulations need to be applied consistently throughout the province.
- A technical board should be established to audit ILO proposals.
- There needs to be enforcement to give the public confidence in the industry.
- Limit appellants to close neighbors.
- No permits issued to people that try to stop a development.
- Municipalities advise, not decide.
- Proposed ILO developments be subject to an approval from the Province that requires compliance with regulations and standards for the protection of all aspects of our environment.
- Monitoring and compliance be provincial responsibility.
- Classifications of land use remain with the municipality.
- Clear regulations be established for the storage and disposal of manure from ILO's.
- Regulations should be preventative, not reactive.
- That a provincial regulation be adopted that requires ILO's to own the property within the setback limits for their operations.
- Development permits jurisdiction of municipalities.
- More formal process for provincial assessment of technical issues.

- Province take lead role in monitoring of ILO's
- Closer partnership between the industry and government in meeting development requirements.
- Stronger Provincial Minimum Standards.
- Alberta Environment involvement in lagoon design and construction.
- Strengthen enforcement options available to municipalities.
- Siting of ILO's should remain as the responsibility of local Councils.
- Have clear regulations on the disposal of manure and paunch manure just like they do drilling mud on oil rigs.
- ILO's should be required to obtain both a Provincial Technical permit as well as a Municipal Development Permit.
- That an independent board made up of appointed members review the technical information.
- Review of taxation for ILO's.
- There must be clear division of responsibilities for monitoring and enforcing agricultural practices, promotion of the agricultural industry and the protection of human health.
- Provincial roles to include: updating of source data such as hydrology maps, etc.
- Increased research, and training of personal involved at provincial and municipal level, more stringent enforcement (fines and penalties), stricter siting guidelines or regulations.
- Municipal roles to include: employment of qualified inspectors to monitor and enforce, review tax system.
- Propose that expansion of ILO's depends on a province wide, consistent, approval process that:
  -ensures a technically sound development
  -includes regular monitoring
  -ensures enforcement
- That the Province establish a reasonable time frame by which existing operations must discontinue management practices that have a relatively high potential of harming the surrounding environment.
- Completion of a comprehensive assessment of the current impact on health of ILO's which delineates the relationship between exposure and illness
- Clearly define what society and individual are willing to bear for the sake of increasing food production
- Resource adequately unfettered scientific research which is perceived as credible and rigorous.

- Strongly recommend an expanded role for AENV and Alberta Health (AH) in regulating feeding operations.
- That environmental regulation be administered by AENV.
- Agree that final authority for approving all ILOs should be left to the local municipality.
- Each application be subject to the Environmental Assessment.
- The inclusion of larger cow/calf operations under the definition of ILO.
- That a 1 in 100 flood plain be used in siting temporary, long term and permanent manure storages.
- Permitting should be shared by a three agency committee including the county, AAFRD and AENV
- Propose that AAFRD be the governing body over the technical aspects of the Provincial approval process, while municipal Council's would be the governing body over local land use issues.
- Support initiation of changes to the assessment and taxation of ILOs.
- A proactive mandatory approval process involving AENV, AAFRD and local Regional Health Authority (RHA).
- RHA's should have a essential role in any approval process.
- Support a stronger commitment to research on health effects of ILO's to local population.
- Longer lead time for objections to water license applications.
- Full public disclosure of ILO applications.
- That land use decision making stay at the local level where constituents can be heard.
- More guts in the bylaws respecting the management of manure.
- More power to municipalities to add conditions or increase standards of Provincial Standards.
- The public must always have the right to appeal.
- AAFRD and AENV continue to assist municipalities in terms of technical review.
- Adequate resources be allocated to Provincial Departments for technical review, monitoring and enforcement of conditions.
- Municipalities play an active role in the review of Provincial policy respecting ILOs.
- Additional studies be conducted to determine what impact ILO's have on human health.
- Development of risk assessment and management tools that can be used by AAFRD, AENV and RHAs.
- That RHAs be involved in approval, monitoring and enforcement of ILOs.
- Request support of the Minister of AAFRD in the implementation and enforcement of regulations that address environmental, public health and nuisance concerns.

- Leave the responsibility for the land use approval and appeal process to the municipality.
- Redefine the definition of ILO to include large cow-calf operations.
- That new growth in the swine industry be prohibited unless and until:
  - alternative technologies to protect the environment are required for new systems.
  - adequate siting requirements are in place to protect neighbors and communities.
- Just leave us alone!!!
- The province should provide the independent policies, rules, regulations and enforcement based on research, thereby relieving the pressure from local officials.
- Maintain efforts to educate ILO operators to adopt management and production practices that protect air and water quality.
- Increase the knowledge of the effects of air contamination from ILOs on human health.
- Coordinate the work done by various agricultural committees, public forums, Alberta government staff, industry and others to provide a framework for promotion and development of sustainable livestock management
- The province must take control of the permitting, siting, and evaluation of ILO developments

APPENDIX C
Summary of Public Consultation
Oral Presentations

A. Forward

The following provides an overview of the oral presentations presented to the Committee. Oral presentations were heard at six public meetings throughout the province of Alberta, including Lethbridge, Airdrie, Red Deer, Vermilion, Barrhead and Grande Prairie. A total of 104 presentations were heard and subsequently entered into the database.

B. Database Setup

The database needed categories for cataloguing the issues contained in the oral presentations. The template used is outlined in Section E. The database was simplified from that used for the written submission due to a much more structured presentation format. The database was setup to tabulate responses specific to legislation, land use, approval process and other issues in the mandate of the committee. Additional comments relating to legislation, roles of municipal/provincial government and monitoring/enforcement issues are compiled and listed in Section F.

C. Summary of Oral Presentations

Responses have been catalogued into five main categories; legislation, land use, approval process, other anticipated comments and demographics. These responses have been totaled and are presented in a tabular format.

(1) Summary of Views on the Issue of Legislation

The table below summarizes responses from the oral presentations clearly identifying what presenters supported relating to legislation. The categories included:

- those who favored involvement by the provincial government in establishing consistent, province wide regulations respecting environmental and health associated with intensive livestock operation (ILO) development.
- those who favored legislation be established and administered at the local municipal level
- those whose support the present regulations but with stronger Right-to-Farm legislation.

Issue Relating to Legislation	Responses
Not identified as an issue	10
Favor Provincial Legislation	88
Favor Standards at Municipal level	5
Strengthen Right-to-Farm Legislation	1

(2) Summary of Oral Presentations Identifying Land Use Issues

The following table summarizes land use issues raised in the oral presentations. Land use responses were put into two categories to address the question of where land use responsibility should be assigned.

These two categories are defined as:

- Those supporting land use as a municipal responsibility. This includes such things as social, zoning, siting and infrastructure aspects associated with ILO development.
- Those supporting land use be under provincial jurisdiction.

Issue Relating to Land Use	Responses
Not identified as an issue	28
Land Use - Municipal Responsibility	72
Land Use - Provincial Responsibility	4

(3) Summary of Oral Presentations Identifying Approval Process Issues

Most submissions recognized the need to address the approval process in Alberta. The following descriptions summarize the ideas presented:

Responsibility of Local Municipality - Full control of the approval process would rest with the local municipal government. They would assume responsibility of determining technical standards, permitting and enforcement.

Local permitting with Provincial Standards - Local municipality would facilitate the process but would depend on the province for technical standards in the form of enforceable regulations. This category assumes one permit issued by the municipality but would ensure compliance with provincial regulations.

Separate Permits for Land Use and Technical Requirement - This would involve a two permit system whereby responsibility of land use and technical requirements are clearly separated into a local and provincial jurisdictions.

Provincial Approval - This category includes those whose view is to assign complete responsibility of land use and technical standards to the provincial government. This would involve a single permit, registration or license from the province. The provincial approval may be made by a multi-department body or by a single department.

Multi-agency or Board Approval - This category is similar to the Provincial Approval but rather than the approval being from the provincial government, it could be from an independent board or committee more or less at arms length from the government. This would be similar to the oil and gas model of approval.

Issue Relating to Approval Process	Responses
Not identified as an issue	34
Responsibility of Local Municipality	1
Local permitting with Provincial Stnds.	38
Separate (Local - land use, Prov. - Technical)	18
Provincial Approval	7
Multi-agency or Board approval	6

(4) Summary of Responses in Anticipated Comment Categories

Provision was made in the database to note anticipated comments in addition to the three main topics of legislation, land use and approval process. These were items mentioned by presenters that may be related to the major topics but need to be recognized as separate or side issues. An example was the frequency that taxation reform entered into the discussion of ILO development and regulation.

For each oral presentation, the database allowed only one anticipated issue to be selected.

Anticipated Issue Comments	Responses
Contamination of Water Supply	1
Corporate Farms	2
Foreign Investment	0
Health & nuisance	5
Roads & Infrastructure	2
Taxation	16
Public involvement	0
Water licensing	0
Research & development	8

(5) Demographics

Public Meeting Location

Public Meeting Location	Submissions
Lethbridge	25
Airdrie	12
Red Deer	28
Vermilion	15
Barrhead	13
Grande Prairie	11
Total	**104**

Presenter Type

Respondent	#
Individual	47
Representing a Group	57

Organization/Affiliation of Presenter

Organization	#
Agricultural Producer	26
Citizen (interested)	6
Livestock/Commodity Group	12
Agri Business	5
Municipal Government	28
Health Authority	4
Consultant	7
Environmental Group	9
Academic/research	3
Other	4

D. Concluding Comments

Oral presentations made to *The Sustainable Management of the Livestock Industry in Alberta Committee* were taped and transcribed. Transcriptions were used to tabulate the data.

Based on the presentations made to the committee, several common issues were presented to the committee for their consideration. Overall comments support:

- Stakeholders wanted the province to be more involved in regulating intensive livestock operations.
- There was a need for consistently applied provincial standards.
- Land use planning should continue to be a municipal responsibility.

E. Database Setup – Oral Presentation

Category	Selection
Legislation	1. In favor of Provincial legislation (Technical Standards) 2. In favor of standards at Municipal Level 3. Strengthen right to farm legislation
Land Use	1. Land use – Municipal responsibility 2. Land use – Provincial responsibility 3. Taxation
Approval Process	1. Responsibility of local municipality 2. Local permitting with provincial standards 3. Separate, local – land use, Prov - technical 4. Provincial approval 5. Multi-agency approval (municipality, AENV, AH, AAFRD)
Comment	1. Contamination of water supply 2. Corporate farms 3. Foreign Investment 4. Health and nuisance concerns 5. Roads and infrastructure 6. Taxes 7. Public involvement 8. Water licensing 9. Research and development
Respondent	1. Individual 2. On behalf of a group
Organization	1. Agricultural producer 2. Citizen (interested party) 3. Livestock/Commodity Group 4. Agri Business 5. Municipal Government 6. Health Authority 7. Consultant 8. Non government environmental group 9. Academic/research 10. Other
Region	1. South 2. Central 3. North East 4. North West 5. Peace Region 6. Special Areas 7. Provincial Interest
Location	1. City 2. Town/Village 3. Farm 4. Acreage 5. Other
Signature	1. Yes 2. No

F. Summary of Comments taken from Oral Presentations

These were comments extracted in addition to or supplementary to the issues identified in the tables in the report. Comments were noted that seemed relevant to the intent of the committee.

Legislative Comments

- Make industrial livestock operations a regulated activity under the Environmental Protection and Enhancement Act (EPEA).
- Provide application requirements for so that proper assessment of developments can be made.
- Alberta Environment (AENV) and Alberta Health and Wellness (AH) should be the protectors of the public interest.
- We believe there needs to be more specific criteria for objective municipal land use decisions, and more consistency in those criteria between municipalities.
- Grandfather exiting operation with a specific time frame to come up to the new standards. (5 - 10 yrs)
- Municipalities implement a notice of intention for ILO applications to prevent adjacent applications from municipalities should have a very clear development plan that is logical and defendable.
- Since natural resources and environment fall under provincial jurisdiction, they should assume responsibility for the development and administration of regulations and standards, governing the design and operation of livestock facilities.
- Regulations should form the basis for provincial administration approval, monitoring, and enforcement
- Science based regulations
- Strengthen right to farm legislation
- Regulations be outcome based, not prescriptive
- Guarantee that all forms of agriculture will be the primary use in areas of prime agricultural land
- Focus should be to develop enabling legislation for new and creative approaches to preserve agricultural land
- Science based regulations on manure, soil and water management
- Strong right to farm legislation
- Separate the easily defined technical issues from the nebulous issues of environmental nuisance.
- We don't need consensus to develop technical and scientific fact
-

- Issues of nuisance, inconvenience, local values, socio-economic implications addressed at local level
- Sees danger in "bulldozing" provincial regulations and/or standards without efforts to gain acceptance of neighbors for agricultural production.
- Supports the use of a "code of practice" rather than a "code of law".
- We don't want prescriptive rules but outcome based
- Provincial zoning of land with food production as a priority
- Residential development, a "discretionary" development on agriculturally owned land
- Science based provincial wide standards - outcome based
- The right to veto over development on our own land has been given to virtually anyone who chooses to.
- Supports a three stage approval process
  - initial land use approval
  - technical review
  - licencing by a provincial board
- Supports regulation of ILO's at the local level but with a strengthened "code of practice" for support
- Strongly supports stronger right to farm legislation
- Supports action that will preserve agricultural land
- More separation of technical and emotional components of the development
- Supports stronger right to farm legislation
- Strengthen the right to farm legislation
- Require consistent enforceable legislation at the provincial level
- Sound scientific, agronomic and environmental principles must be used to develop these regulations.
- Regulations must be outcome based, not prescriptive
- Support a grandfather clause that will allow existing operations the opportunity to remain viable.
- Develop an effective appeal mechanism for resolving conflict or frivolous complaints between a producer and neighbour.
- Supports outcome based standards rather than prescriptive.
- Strengthen the right to farm legislation and the protection from frivolous dispute
- Recognize the need to be regulated through scientific standards, not emotional ones.
- Technical standards should be set by the province.
- Develop a transparent and consistent approval process, modeled after success in other industries.

- Tougher rules on who can launch an appeal and on what grounds
- Support regulation be done by an appointed non-governmental body
- Supports keeping the technical support (AAFRD) and regulatory (AENV) components separate
- Recommends the certification of manure applicators
- Restructure ILO categories to differentiate the range of size
- Support the province assuming responsibility for appraising, monitoring and enforcing science-based technological requirements.
- Support keeping cow/calf operations out of the regulations
- Propose the use of ILO land use districts, then designate them as a permitted uses.
- Create clear distinction between size categories
- Province's role is to support the municipality in providing support and interpreting the technical standards.
- The hog industry should be subject to the same laws as other industries in Alberta
- Request a more active role by AENV in regulations
- Proposes that class 1-4 land be classified as agricultural preserves for ILO production and should be a permitted use.
- Residential be a discretionary use in an agricultural zone
- Agricultural land should not be a commodity but a finite resource
- Regulations must be science and outcome based and uniform across the province
- Appeals concerning provincial approval be made to a provincial appeal committee
- Regulations should be progressive depending on ILO size and type
- Regulations should be province wide
- Support legislation under AENV if adequately funded and skilled staff
- Very concerned about the perceived or actual independence of the regulating authority
- Code of practice needs to be scientifically justifiable and sustainable
- Technical recommendations from AAFRD must be supported by the appropriate professional expertise
- Improved compliance, supported by monitoring in the construction and operation of the facility
- If land use is going to prevent us from building on agricultural land: I want it fixed and I want it fixed fast.
- Supports some form of grandfathering of existing operations
- Supports science based regulations
- Fundamentally opposed to ILO's

- Would like to see the highest standards in the world for ILO's
- Support environmental assessments, including accumulative affects
- Propose a moratorium on further ILO development until adequate legislation is put in place
- Control the size of ILO's through provincial regulations
- All costs of enforcement and appeals should be paid for by the Province and any financial loss to adjacent land owners should be paid for by the developer
- Support standards be based on 2 tiers levels (size & type, etc)
- Support reciprocal minimum distance separation (MDS)
- Support outcome based regulations
- Supports outcome based operating standards
- Similar approval process which mirrors that for other industries in Alberta
- Does not support the regulation of cow/calf
- Supports the zoning of agricultural land and ILO's would become permitted use
- Supports a provincial appeal board to ensure consistency throughout the province
- Stronger right to farm legislation
- Supports a distinct provincial approval for ILO's
- Favors zones to allow ILO's as a permitted use
- Supports provincial regulations as a "floor" standard which could be added to at the local level, the bar needs to be set high enough to maintain consistency
- Supports the separation by definition of what constitutes a family farm and industrial ILO's
- Recommends review of industrial ILO's be subject to appropriate taxation, environmental and labor laws.
- Appeal board should not come from within the same county as the development
- The Code of Practice is not of itself regulatory, only to the extent it is referenced in the land use by-law
- Supports a modified permit or licencing process similar to oil and gas, but less clumsy bureaucracy. Under such a process, municipalities would not have a veto
- Clarify and strengthen Right to Farm Legislation (third generation) utilizing peer review to determine generally accepted practice.
- Supports tax reform so that ILO's are appropriately taxed
- Need stronger legislation at the provincial level to preserve agricultural land.
- Supports a legislative framework that creates a positive economic climate for agriculture
- Comments center on disease control in the bison industry

- Regulations account for differing size levels
- Supports grandfathering, five year period
- Supports composting be a requirement by law
- Does not support a provincial approval process similar to other industries (gas & oil)
- Supports an industrial tax for ILO's
- Science is important, but issues like practicality, economic feasibility have to be part of the equation.
- Strengthen Right to Farm legislation.
- We need policies to protect agricultural land for agricultural use.
- We would like to see regulations that are outcome-based -- allowing for regional variation
- Include cow-calf and grandfather operations, regardless of animal count
- MDS apply only to down wind neighbors
- Not in favor of including cow/calf in provincial standards
- Strengthen right to farm legislation
- Favors provincial standards to include cow/calf
- Along with provincial legislation there should be stronger right to farm legislation
- Legislation should be directed towards recognizing the principle that one industry cannot be enhanced and encouraged a the expense of private individuals, communities, and family farms

Comments Regarding Municipal/Provincial Roles

The following comments were extracted from the oral presentations with regards to the role of the municipal and provincial government.

- AENV and AH must play lead roles in standard setting, approval, monitoring and enforcement of ILO's.
- AAFRD has a lead role to play in facilitating definition and adoption of management practices which protect environmental and public health.
- Suggests that the province be the lead role in permit review.
- Support regulatory authority stay with municipality
- Provincial role is one of technical support using provincial standards (not necessarily regulatory)
- Would like to see planning legislation that would allow local municipalities to impose new condition son exiting operations as new technology develops.

- Support greater provincial support for research into health issues associated with ILO's
- AAFRD should lead in research and implementing best management practices.
- Municipal role is to consider the social and economic impacts of development
- AAFRD's role is research and education
- AENV's role is protection and enforcement consider creating a provincial agency or arm of AAFRD to handle the regulations and deal with public concerns about operations.
- Local municipal government should continue to serve as the approving authority where value judgements and land-use issues are involved
- Improve the ability of counties to deal with public consultation, public review and resolution of issues
- Educational and public relations component needing input and support from the province
- Zoning should be the responsibility of the province
- Significant portion of the fuel tax collected by the province on fuel sold should be returned to the municipality for use in their road building and maintenance program
- Build public confidence by effecting attitude change -- through increased educational component to get adoption of acceptable management practices
- Supports local input at the initial stages of the permitting process
- The provincial government needs to play a stronger leadership role in research and development, and technology transfer
- Strongly oppose the province taking over the approval of ILOs
- Remove the land use jurisdiction from municipalities to protect the livestock industry from counterproductive, invasive, divisive municipal land use by-laws
- Sees the province involvement to be a technical approval not a permit
- Supports strong local involvement, with the province as technical support
- Local expertise should not be overlooked
- Many problems can be overcome through dialog and education
- Establishment of a risk communications strategy, a group of experts that looks at public concerns pertaining to the livestock industry to assure that the public interests are protected
- Greater use and understanding of nutrient management plans for gaining public confidence
- Strong provincial role for education and awareness
- Continued support by the province for industry best management practices

- Need to effectively communicate to the public that livestock operations have adopted high standards
- Local government facilitates and has input to the process but the provincial standards have primacy.
- One provincial agency (recommend AAFRD) to become the provincial agency responsible for reviewing and issuing approvals
- AAFRD should be the provider of technical advice
- Support AAFRD doing the site assessment for the development
- Site approval should stay in the local governments hands but with one permitting system
- AAFRD's role is in technical support, not enforcement
- Increased support of the province monitoring surface and groundwater quality and quantity.
- AAFRD's role is in technical support and education
- AENV's role is in enforcement
- Support that social issues be best handled at the local municipal level.
- Support AENV carry the environmental enforcement responsibility and AH deal with health issues
- Supports a provincial technical committee work with each municipality and set up specific standards for each one.
- Recommends the oversight of the province in assessing applications, this might include a mediation procedure where standards are met, but great community opposition exists
- Support either environment or agriculture to provide the technical support to the municipality
- Support the municipality give siting approval first then on to the province for the technical approval
- Standards may be set by AAFRD in conjunction with AENV
- Ongoing education and training through municipal and provincial courses
- Support a community development model, rather than one focused on economic development
- The present adversarial process divides people into camps: those who promote development and those who are opposed to it.
- Regulations should be in AENV legislation
- AAFRD and AENV could jointly provide support to the municipality
- Greater leadership from AENV

- Municipalities have limited resources and expertise to monitor compliance of rules and regulations of ILO's
- Support the establishing of technical and scientific standards by AENV, AH and AAFRD, perhaps a committee consisting of these three department.
- Support the development of beneficial management practices guidelines
- Development of education and management tools for responsible livestock operation
- Supports AAFRD in cooperation with AENV as the approving authority
- Recommends that all costs of enforcement, appeals, and intervener funding should be paid for by the Province.
- Recommends a public review process that starts with wide involvement, then narrows as the permitting process moves forward
- AAFRD could be approval authority with proper internal structure. AENV could also do it.
- Supports very limited involvement by counties
- Look to the provincial government for expertise and resources
- Local municipality is the first contact and facilitates the process
- AAFRD has a large role in supporting smaller operations being economically sustainable.
- Favors the Alberta Association of Municipal Districts and Counties (AAMD&C) position on roles for the Province and Rural municipalities.
- Favors a more integrated approach in ILO planning and approvals including other agencies such as Irrigation districts.
- Suggests a regional approach to minimize inconsistencies between municipalities.
- Supports enforcement as a provincial role.
- The municipalities responsibility is to manage complaints
- The province should set standards for the review process
- Lack expertise and funds for municipalities with small number of ILO's
- Strong support for local autonomy
- Province has responsibility in awareness and education

Comments Regarding Monitoring & Enforcement of ILO's

The following are comments extracted from the oral presentations regarding the compliance, monitoring and enforcement of ILO's.

- See monitoring rest with the municipality
- AENV and AH should play a major role in monitoring and enforcement
- Random audits by AENV should be done to keep the industry honest
- Provincial enforcement of design and operational regulations
- Enforcement authority should be with province
- Monitoring and enforcement should fall under AAFRD who have the greatest technical expertise, experienced staff and technical information.
- AH and AENV should share responsibility for enforcement
- AAFRD maintain role in providing technical support.
- Local complaint driven arbitration process for enforcement
- Random monitoring suggested to maintain public trust
- Enforcement at the first stage be done by an appointed cross-commodity peer group of farmers
- Complaints deemed to be frivolous or intended to cause hardship rather than to identify a legitimate concern, the costs associated be due and payable by the party that filed the complaint
- Operator subject to random audit
- Monitoring and enforcement be tied to the license
- Supports local enforcement
- Possible sharing of adjacent municipalities in funding and support for monitoring and enforcement
- Monitoring and compliance be transferred to either AENV or AAFRD
- Compliance and enforcement should come from the local municipality but be progressive with the province having the final big hammer
- A progressive method of enforcement would consider the size and type of operation similar to the building code (garage -- house -- hospital)
- Appropriate compliance and enforcement programs should include a peer review component, and be complaint generated.
- The development of outcome-based standards, as opposed to prescriptive
- Monitoring is integral to nutrient management plans.
- Promote self monitoring and feedback according to assessment of environmental risk (due diligent monitoring)

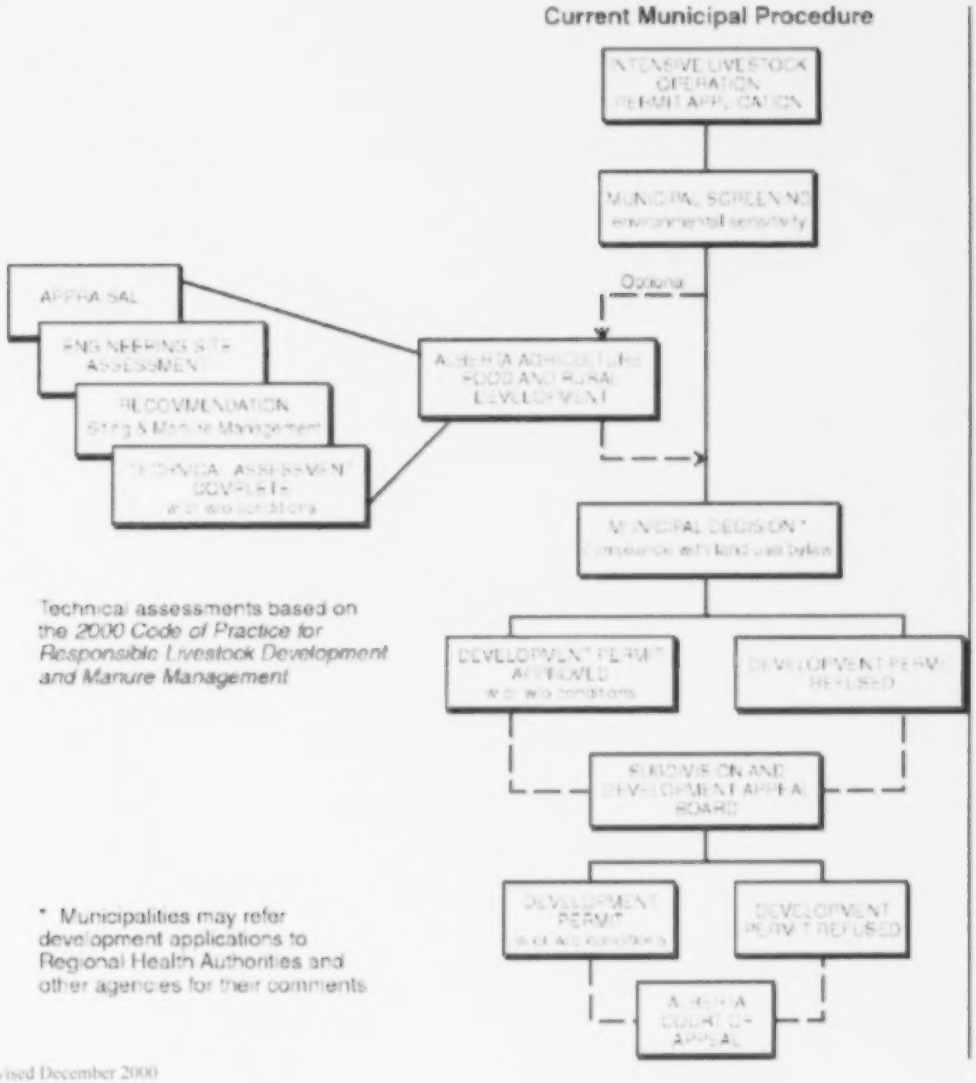
- Support enforcement by the agency establishing the standards.
- Most municipalities do not have sufficient resources and/or expertise to effectively enforce ILO compliance.
- Support the use of a peer review board as an alternative enforcement procedure
- Support spot check monitoring as well as a very responsive complaint driven investigation process.
- Supports a peer review board, as well as local conflict resolution process
- Compliance with legislated standards can be undertaken through education, prevention initiatives and enforcement
- Complaint driven investigations and spot checks should be conduced by the provincial agency responsible for administering the act (AAFRD)
- Recommend the establishment of a peer review panel
- Support that monitoring and enforcement of ILO's should be done by AENV
- Province enforces to the extent they approve developments (technical component)
- AENV should have the responsibility for compliance and enforcement
- Support peer review as an options for compliance
- Municipality has an important role in compliance and enforcement if properly funded and given the expertise.
- Support peer review as the first step in compliance with an ultimate stick at the end if necessary
- Enforcement should be done by the province
- Prefer to see enforcement by AENV and AH
- Support an empowered body to enforce the regulations.
- Support enforcement by AENV
- Enforcement and monitoring could be either at the local or provincial level
- Consequences to non-compliance
- Both municipality and province should be involved with enforcement and compliance
- Not in favor of self policing but supports a role for peer review in getting compliance
- Enforcement should be by the province
- Monitoring should be jointly between the municipality and province (works in other areas of agriculture)
- Enforcement by a provincial body
- Support regular and adequate environmental and social monitoring
- Compliance and enforcement should be done by group drawn from AENV, AAFRD and AH

- Supports peer review board as a means of first level compliance procedure
- Municipality enforces siting
- Province should enforce technical requirements
- Support provincial enforcement
- Random inspections recommended
- Development of an Environmental Safe-Assessment and Certification Program
- Support a peer review process to address public complaints
- Support the use of peer review groups to assist in compliance
- Supports a peer review as the first level of compliance
- Supports monitoring by AENV and AH with assistance from AAFRD
- Supports a provincial body to assist and plan land use on agricultural land
- Supports enforcement at the local level, but training is needed to be effective
- Supports the use of a third body for enforcement, rather than peer review
- Supports AENV as the enforcement agency since it has the labs, etc.
- Support results oriented standards
- Enforce in stages, education has a role
- Random checks of records better than regular reporting
- The province recommend and fund a consistent enforcement regime for ILO's
- The industry should be the first line of a progressive enforcement process.
- Monitoring and enforcement be done by the agency providing the input to the approval process.
- Favors improved proactive reporting by the ILO operator to head off problems
- Favors enforcement by the agency providing the technical support to the approval process.
- Favors enforcement based on outcomes, not prescriptive regulations
- Municipalities with small ILO numbers haven't the expertise or funds to enforce environment standards.
- Raised issue of liability for enforcement of recommendations of other agencies.
- Supports AENV as the enforcer of provincial standards
- Monitoring should be local in conjunction with the industry
- Shift licensing and enforcing to AENV, or AH.
- AAFRD is seen to be in conflict of interest -- if it has and enforcement role, it must separate policy from the enforcement function.
- Develop long-term air and water quality monitoring program to determine trends and effects.

- The people with the scientific data must be allowed to be involved in the approval process, monitoring and enforcing regulations within their area of expertise.
- Supports a very strong peer review process for enforcement
- Enforcement should be science based.
- Peer review for the few difficult enforcement situations that occur
- Sees enforcement to be done at the local level by committee of stakeholders and peers
- Support for outcome based monitoring and enforcement
- Better follow up of development conditions
- Environmental monitoring should be in the domain of AENV
- Human health should be in the domain of Alberta Health and Wellness
- Suggests AAFRD is in conflict of interest

APPENDIX D
Development Permitting Process for Intensive Livestock Operations

The following chart illustrates the steps in the current municipal approval process:


Current Municipal Procedure
INTENSIVE LIVESTOCK OPERATION PERMIT APPLICATION
MUNICIPAL SCREENING environmental sensitivity
Options
APPRAISAL
ENGINEERING SITE ASSESSMENT
RECOMMENDATION Siting & Manure Management
TECHNICAL ASSESSMENT COMPLETE w or w/o conditions
ALBERTA AGRICULTURE, FOOD AND RURAL DEVELOPMENT
MUNICIPAL DECISION * Compliance with land use bylaw
DEVELOPMENT PERMIT APPROVED w or w/o conditions
DEVELOPMENT PERMIT REFUSED
SUBDIVISION AND DEVELOPMENT APPEAL BOARD
DEVELOPMENT PERMIT w or w/o conditions
DEVELOPMENT PERMIT REFUSED
ALBERTA COURT OF APPEAL
Technical assessments based on the 2000 Code of Practice for Responsible Livestock Development and Manure Management
* Municipalities may refer development applications to Regional Health Authorities and other agencies for their comments

Revised December 2000

APPENDIX E
Common Questions

Question: *What is the benefit of establishing an independent provincial agency with the authority to regulate the industry?*

Answer: An independent provincial agency provides for a more responsive, less expensive and more effective way to resolve concerns about proposed development applications for new and expanding intensive livestock operations. It may also be able to bring about changes to the mutual benefit of all concerned without the confrontation and the unwarranted expense of court.

Question: *Who is on the Sustainable Agriculture Review Board (the Board)?*

Answer: The authority of *the Board* could be established under the proposed regulatory framework. *The Board* would be appointed by and accountable to the Minister, Alberta Agriculture, Food and Rural Development (AAFRD). *The Board* has broad representation to ensure all key stakeholders (agriculture, health, environment, livestock production, municipal and community development) have input. All members will have experience and knowledge that help them determine whether development applications meet provincial standards to ensure responsible growth of Alberta's livestock industry.

Question: *What is the benefit of having a single provincial body to review and approve development applications?*

Answer: This would establish a consistent and transparent province-wide approval process for new and expanding intensive livestock operations under the proposed regulatory framework.

Question: *How can the public be involved and/or provide input into the development process?*

Answer: *The Board* directs that the community be notified of all applications for an approval. When an applicant notifies the community, those persons who are directly affected by the application and the municipality may submit a written statement of concern to the Director outlining their concerns and may appeal the decision to issue an approval. Municipalities would automatically have intervener status in the process.

Question: *How will municipalities participate in the proposed provincial intensive livestock operations (ILOs) approval process?*

Answer: *The Board* will partner with municipalities in developing long-term land use plans. The Committee recognizes that Alberta's rural municipalities have a key role in ensuring there are sufficient productive lands for the agriculture industry. Municipalities also have a key role in ensuring that local concerns are resolved in a responsive, community-based manner. A strong commitment of the land in rural Alberta to all agricultural uses, including ILOs, is needed. It is suggested that municipalities develop agricultural zones where intensive livestock operations are permitted uses. In return, the province could provide incentives for infrastructure to develop these zones. Advance planning will ensure that the appropriate land base is provided to support the needs of this industry and provide certainty to communities and investors.

Question: *Who can appeal the proposed development application?*

Answer: Requests for appeals are submitted to *the Board*. Where notice of the application was provided, the approval holder or any person who previously submitted a statement of concern and is directly affected by the approval may appeal.

Question: *Who is directly affected by an application?*

Answer: Those persons who are in immediate proximity to the proposed development are considered directly affected.

Question: *Are decisions on approvals subject to appeal?*

Answer: Requests for appeals are submitted to *the Board*. The applicant or any person who previously submitted a statement of concern may appeal. The decision of *the Board* is final, subject to questions of jurisdiction or law to the Alberta Court of Appeal.

Question: *Will the proposed provincial intensive livestock operation approval process restrict our larger cities from annexing agricultural land for their growing populations?*

Answer: Large intensive livestock operations (ILOs) may not stop cities from annexing land. ILOs are compatible with some heavy industrial developments and many cities and counties will continue to include these zones in their development plans. For example, the Heartland Industrial Proposal specifies that ILOs are compatible activities in heavy industry areas and serve as compatible buffers between industry and residential developments. Cities generally annex enough land to service their development needs for many years. If they annex land with ILOs, these facilities should be able to operate until other incompatible zoning and development is proposed for the area. If the proposed zoning and development is compatible, these facilities should be able to continue to operate.

Question: *Who would be responsible to monitor and enforce compliance with the legislated standards?*

Answer: *The Board* would act as the primary provincial agency responsible for ongoing monitoring and enforcement activities. *The Board* would partner with the livestock industry to ensure it continues to develop self-improvement approaches, keep pace with evolving technology, and adopt new and innovative best practices (e.g., environmental management systems, stewardship programs). Monitoring and enforcement of these standards needs to be equally consistent to ensure a "level playing field" for all producers.

Question: *How can I find out about the AgSummit 2000 Consultation on Agriculture?*

Answer: Visit the AgSumit Website @www.agsummit.gov.ab.ca, or call AAFRD at (780) 422-7683 (toll-free by first dialing 310-0000).

Question: *What were the key recommendations for a regulatory framework from the Livestock Regulations Stakeholder Advisory Group (LRSAG)?*

Answer: Key recommendations for a Regulatory Framework from LRSAG:

- focus on new and expanding feeding operations; existing operations not required to meet any of the new facility standards unless there are environmental problems;
- administered by Alberta Agriculture, Food and Rural Development (AAFRD);
- AAFRD to issue approvals for feeding operations with more than 300 animal units and smaller feeding operations in environmentally sensitive locations;
- AAFRD to issue authorizations for the winter spreading of manure;
- the public be consulted during the approval assessment process;
- approvals issued for the life of the facility; approval conditions to be based on the *Standards Document*;
- technological advances to be incorporated into approvals;
- all winter feeding and bedding sites to follow standards in the regulations to protect rivers, creeks, lakes and large sloughs;
- all farms to follow the standards in the regulations for spreading of manure;
- an industry-led peer review process be established to deal with complaints;
- AAFRD to enforce the legislation using limited inspection powers;

- An appeal board be established to hear appeals related to approvals and enforcement orders.

Copies of the complete report are available on the Ropin the Web site at www.agric.gov.ab.ca/ilo or by calling (780) 427-0674 (toll free by first dialing 310-0000).

Question: *What is the 2000 Code of Practice for Responsible Livestock Development and Manure Management (Code of Practice)?*

Answer: The *Code of Practice* outlines voluntary technical standards for new and expanding livestock operations. It was updated in December 2000 to provide greater protection of the environment while reducing potential nuisance from dust, odour and noise.

The 2000 Code of Practice for Responsible Livestock Development and Manure Management replaces the 1995 Code of Practice for the Safe and Economic Handling of Animal Manures. Advances in research and technology have been included, as well as input gathered through the public consultation process led by the Livestock Regulations Stakeholder Advisory Group (LRSAG).

Question: *What are the changes in the 2000 Code of Practice for Responsible Livestock Development and Manure Management (Code of Practice) compared to the 1995 Code of Practice for the Safe and Economic Handling of Animal Manures?*

Answer: Key changes to the *Code of Practice* include:

- enhanced standards for manure storage and application to prevent contamination of surface and groundwater.
- enhanced requirements to reduce conflict with other land users.
- requirements on manure application to allow better utilization of nutrients by crops.

Question: *What initiatives are underway by government and industry to ensure proper practices are being followed with respect to manure management, soil and manure testing, dead animal disposal, odour and dust control?*

Answer: Alberta Agriculture, Food and Rural Development (AAFRD) staff and the livestock industry are working on a number of projects and initiatives to ensure the responsible development and operation of the intensive livestock industry. Among the initiatives are:

- development of beneficial management practices for the livestock industry defining industry accepted beneficial management practices. The documented practices will provide producers with a standard of practice for their operations. Currently, the Alberta Pork Producers, Alberta Cattle Feeders' Association and the Alberta Poultry Industry are developing manuals.
- development of environmental farm planning tools for the agriculture industry that will provide a self-assessment tool for producers to assess their practices and develop a farm plan to reduce risks to the environment. Industry and government are currently looking at models used in other areas and developing overall industry support.
- peer review and information line process to hear and address concerns thereby providing a process to resolve disputes and ensure livestock producers are following acceptable practices.
- development of nutrient management plan in order to have a standard that all stakeholders understand and agree to use.
- education materials such as manure nutrient calculator, web site information, and workshops to ensure producers have up-to-date information on new technologies and practices.
- ongoing research to address concerns such as air quality, manure storage, etc.

Question: *What is the Standards Document?*

Answer: The Livestock Regulations Stakeholder Advisory Group (LRSAG) felt that the industry needed consistent, province-wide standards. The Standards Document is like a building code. It outlines the appropriate geologic and hydro-geologic standards, siting criteria for manure storage facilities, feedlots and winter feeding sites. It also specifies construction requirements for manure storage, such as the thickness of the liner.

Question: *Who developed the Standards Document?*

Answer: The Livestock Regulations Stakeholder Advisory Group (LRSAG) appointed an "Expert Committee" who met numerous times to develop this document. The group included academic specialists in the following fields: hydrology, engineering, health, air quality, environmental risk assessment, aquatic biology, infectious diseases, soils and agronomy, along with health, municipal and producer representatives.

Question: *How are the Alberta government departments working together to develop an effective, government-wide approach to intensive livestock operations (ILOs)*

Answer: In keeping with *Alberta's Commitment to Sustainable Resource and Environmental Management*, a number of departments are involved. Following is a list of their respective roles:

Alberta Agriculture, Food and Rural Development (AAFRD):

- lead development of policy changes as a result of the Sustainable Management of the Livestock Industry in Alberta Committee review to minimize the impact of livestock operations on Alberta's environment and natural resources.
- lead the development of the *Code of Practice* that outlines technical standards on siting and manure management for new and expanding ILOs.
- provide technical assistance to municipalities in reviewing development applications.
- work with ILO developers to ensure that site and management practices reduce environmental impacts.
- develop educational material to facilitate practice change.
- conduct research to improve manure management practices, odour control technologies, and the construction of manure storage facilities.

- in partnership with the livestock industry, develop best management practices, environmental farm planning tools, and a peer review process to support accepted standards being used in the management of livestock operations.
- support communication initiatives that increase public and industry/producer awareness and understanding of responsible development and management of livestock operations.
- monitor water quality and participate in developing soil nutrient limits.

Alberta Environment (AENV):

- work closely with AAFRD to develop voluntary and policy changes related to ILOs.
- protect and manage the environment and resources that may be used and affected by ILOs.
- monitor water and air quality.
- participate in developing soil nutrient limits.
- assist with developing beneficial management practices for specific industry sectors.

Alberta Health and Wellness (AH):

- protect the health of Albertans under the *Public Health Act*. This is a strong piece of legislation that delegates authority to regional health authorities (RHAs).
- RHAs are mandated to investigate public health concerns including complaints that may arise from ILOs. RHAs try and address emerging issues and concerns with AAFRD and other stakeholders such as the municipality and Alberta Environment.
- when requested by a municipality, RHAs will provide advice and consultation on any new or expanding ILOs, as well as any old operations that may need improvements.
- the *Code of Practice* for ILOs includes requirements that are designed to address a number of environmental issues including sections related to the protection of health and safety of adjoining neighbours to ILOs.

Alberta Infrastructure:

- work with municipalities to ensure road infrastructure is in place and maintained to accommodate increased transportation related to ILOs.

Alberta Municipal Affairs (MA):

- provide assistance to municipalities in land use planning and conflict resolution processes.
- continue to work with municipalities on the municipal decision-making process regarding ILOs.
- assist AAFRD and the Sustainable Management of the Livestock Industry in Alberta Committee as required.
- support the work of the MLA Farm Property Assessment Review Committee, which is studying agricultural assessment and taxation issues.

APPENDIX F
Glossary of Terms

"Agricultural operation" means agricultural operation as defined in the *Agricultural Operation Practices Act*.

"Animal units" means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a 12 month period.

"Board" – in this document the Sustainable Agriculture Review Board will be referred to as *the Board*.

"Feedlot" means an uncovered livestock facility where livestock are confined solely for the purpose of growing or finishing and is sustained by means other than grazing.

"Intensive livestock operation (ILO)" means an operation where the number of animals in confinement on a farm equals or exceeds the threshold of 300 animal units and where the livestock are confined in a facility(ies) at a density of 43 animal units per acre for greater than 90 consecutive days and the producer has to manage the manure generated at the facility(ies).

"Livestock" means domestic animals and birds, but does not include fish.

"Livestock operation" means an operation where the livestock are confined in a facility at a density of 43 animal units per acre for greater than 90 consecutive days and the producer has to manage the manure from the facility. Facilities do not include seasonal feeding and bedding sites.

"Operation" means buildings, shelters, fences, corrals or other structures that confine, or are capable of confining, livestock for feeding and rearing purposes. Includes seasonal bedding and feeding sites.

"Operator" means a person responsible for the operation.

"Seasonal feeding site" means an overwintering area where mature breeding animals and their unweaned young are fed and sheltered.